

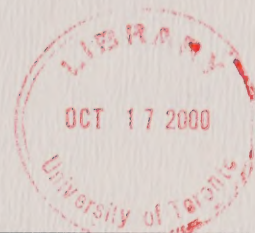


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# **Family Violence in Canada:**

A Statistical Profile  
1999



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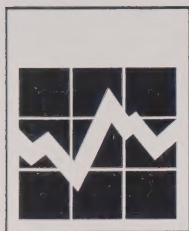
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# Family Violence in Canada:

## A Statistical Profile 1999

By Robin Fitzgerald

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## HIGHLIGHTS

### Spousal violence

- In 1997, victims of spousal violence represented 17% of all victims of violent offences reported to a sample of 179 police agencies in Canada. Women accounted for a large majority (88%) of all reported spousal violence victims.
- In 1997, common assault represented the largest proportion (74%) of spousal violence incidents reported to the sample of police forces. A greater proportion of women (75%) were victims of common assault than men (70%).
- From 1993 to 1997, based on a sample of 60 police agencies in 5 provinces, the number of police-reported incidents of spousal assault (including all physical and sexual assaults) decreased for female victims by 8% and increased for male victims by 18%.
- From 1978 to 1997, spouses represented 18% of all victims of solved homicides and 48% of family-related homicides. Over the two decades, three times as many wives as husbands were killed by their spouses (1,485 women and 442 men).
- Young wives are at the greatest risk of spousal homicide. In the 1990s, married, separated or common-law women under the age of 25 were killed at a rate of 29 per million. Young husbands were next most likely to be killed, but the rate (13) was less than half that of young wives.
- From 1978 to 1997, firearms were the most frequent means of spousal homicide, accounting for more than one in three cases (37%). Husbands, who made up the majority of accused, most often used firearms (40%), followed by knives (25%). In contrast, a majority of women who killed their partners used knives (60%); and firearms were the second most frequently used type of weapon (25%).
- From 1978 to 1997, there were reports of alcohol or drug use at the time of the incident in over one-third (38%) of spousal homicide cases. Alcohol had been consumed by an accused wife in one-half (55%) of cases and by an accused husband in just over one-quarter (26%) of cases. Drugs were reported to be used less frequently (2% for both male and female accused).

### Violence against older adults by family members

- In 1997, adults aged 65 and over accounted for 2% of the victims of all violent crime reported to a sample of 179 police agencies. In almost one-quarter of these incidents family members were the perpetrators.
- In 1997, police statistics showed that older men were proportionately more likely to be victimized by their adult children (41%), than by a spouse (28%). In contrast, older women were victimized equally as often by adult children (40%) and spouses (40%).
- In many cases, lethal violence by spouses continues into old age. Over one-half (53%) of all family homicides against older women and one-quarter (25%) of those against older men were committed by spouses (including ex-spouses). In fact, spousal homicides accounted for nearly one-third (30%) of all homicides against older women.



## Violence against children and youth by family members

- In 1997, parents were the main perpetrators of assault against children and youth within families. Parents represented 65% of family members accused of physical assaults against children and youth and 44% of those accused of sexual assaults.
- Fathers more often than mothers were the reported perpetrators of assaults against children and youth, regardless of the type of abuse or the child's age. In 1997, in incidents involving parents, fathers were accused in nearly all (97%) sexual assaults, and a large majority (71%) of physical assaults.
- In 1997, girls were victimized more frequently by family members than were boys. Girls represented four-fifths (79%) of victims in family-related sexual assault cases, and over one-half (55%) of victims of physical assault.
- In 1997, family members were responsible for a majority (76% or a total of 67) of all homicides against victims under 18 years of age. This is an increase over the previous 10 years when an average of 59% of victims under 18 were killed each year by a family member.
- There has been a recent increase in the number of mothers and fathers accused of killing their children. For mothers, this figure grew from 15 homicides in 1988 to 25 in 1997, and for fathers, the figure grew from 19 in 1988 to 37 in 1997.
- In the 1990s, infants under the age of 1 had the highest annual rate of homicide among children and youth under 18 years: 45 per one million infants. Family members committed a majority (93%) of these homicides: 45% by a mother and 40% by a father.



## INTRODUCTION

As part of an ongoing initiative to inform the public about family violence issues, the Canadian Centre for Justice Statistics produces this annual profile on family violence statistics. The purpose of the report is to provide current data on the nature and extent of family violence incidents in Canada and to monitor trends over time. Each year, the profile has a special focus. The special focus of this year's report is criminal justice and other system responses to the problem of family violence, including responses by police, courts, and correctional services, as well as Canada's transition homes for victims of family violence. The report also provides the most recent police-reported data on spousal violence, violence against older adults and children and youth committed by family members, and family homicides.

Table 11

Frequency of reported incidents of family violence  
submitted by police and the criminal justice  
system, 1999







## 1.0 MEASURING FAMILY VIOLENCE

In Canada, there are a variety of data sources that can be used to examine the nature and extent of family violence. These fall into two general categories: victimization survey data based on victims' accounts of their experiences of family violence reported to survey interviewers, and those based on incidents reported to the police, hospitals, coroners, child welfare or other social agencies.

Definitions of family violence affect estimates derived from both victimization surveys and reported incidents. The term family violence can encompass a wide range of experiences. Definitions vary according to the type of relationships considered under the definition of "family" (e.g., marriage, blood, adoption, foster care, step and blended family arrangements, and same-sex relationships), and the type of experiences to be included under the definition of "violence" (e.g., *Criminal Code* offences, threatening, psychologically controlling and emotionally abusive behaviour). Clearly, more all-encompassing definitions of family violence produce higher estimates of the extent of the problem.

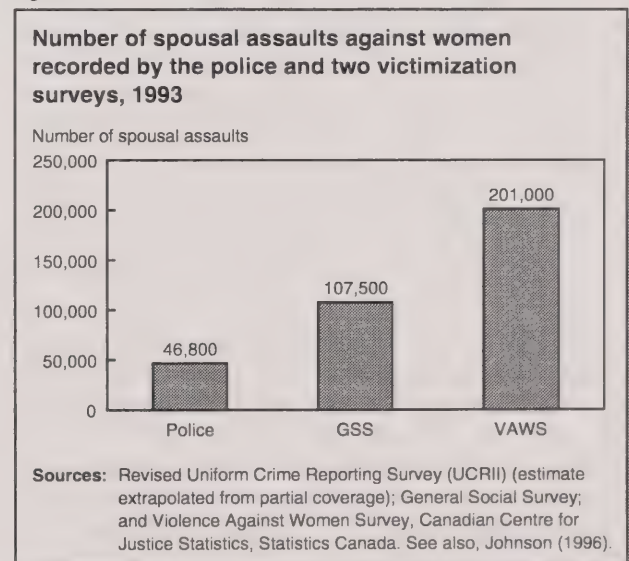
Estimates of family violence based on incidents reported to police and other agencies are particularly susceptible to additional confounding factors including the secrecy surrounding the issue, the dependency of the victim on the perpetrator, the lack of knowledge about available help, and the fear of repercussions for reporting the event. All of these factors lead to underreporting and consequently to an underestimate of the extent of the problem (Johnson, 1996; Della Femina, Yeager, and Lewis, 1990; Stein and Lewis, 1992; and Widom, 1998).

The number of reported incidents may also be affected by shifts in the level of scrutiny that official agencies maintain in suspected cases as a result of legislative or policy changes, or the changing availability of resources. For example, a change in legislation (Bill C-127, amendments to the *Criminal Code* related to assault and sexual assault) and the implementation of mandatory charging policies by many police agencies in the early 1980s, marked the beginning of year-over-year increases in assaults reported to the police through to the early 1990s (Kingsley, 1993).

Similarly, most provinces now require investigations into deaths of children under the age of 2. This shift will likely lead to the reclassification of some deaths that previously would have been classified as accidental or natural deaths. In Quebec, researchers have linked a decline in the number of reported cases of child sexual assault to a reduction in front-line social service agencies that would normally receive the reports, rather than to an actual decrease in the rate of abuse (Wright, *et al.* 1997).

Victimization surveys are not susceptible to the same factors that lead to underestimates as are data available through official agencies; thus estimates derived from these surveys are substantially higher. However, these surveys are sensitive to question wording, definitions of victimization, and the underlying approach (for example, a survey dedicated to spousal assault versus one that focuses more generally on all forms of victimization). Figure 1.1 shows the wide variation in results from the Revised Uniform Crime Reporting Survey (UCR II), the General Social Survey (GSS), and the specialized Violence Against Women Survey (VAWS) in 1993. In the 12-month period

Figure 1.1



before the interviews, the VAWS captured twice as many incidents of wife assault as the non-specialized GSS, and 4 times as many incidents as those reported to the police. These results demonstrate that victimization surveys capture a greater proportion of violent incidents than do the police, and that dedicated surveys can be even more comprehensive than those that use a more generalized approach (Johnson, 1998).

Victimization surveys, however, are also limited to the extent that they can be used to measure family violence. The sensitivity and privacy of the problem makes the

collection of family violence data in general population surveys challenging and this is particularly so when the victims are children and older adults in need of protection. There is a legal and ethical duty to report all incidents of suspected abuse against children to child protection agencies, and the requirement to report also exists for dependent adults in some provinces (see Table 3.2). This duty presents researchers with an ethical dilemma as the reliability of the survey results depends on the ability of researchers to give respondents an assurance of confidentiality, which is in opposition to the legal duty to report abuse.



## 2.0 SPOUSAL VIOLENCE

### 2.1 The incidence of spousal violence

The Canadian Centre for Justice Statistics has been tracking trends in crimes reported to the police since 1962 through the Uniform Crime Reporting Survey. It was not until 1988, however, that the method of data collection was expanded to include the relationship between victims and accused, their age and sex and other details of criminal incidents. There are currently 179 police forces in 6 provinces that participate in this Revised Uniform Crime Reporting Survey (UCRII), representing nearly one-half (48%) of the national volume of reported crime. Currently, UCRII data are not nationally representative. It is also not possible to calculate national rates of occurrence because the boundaries of many police agencies do not coincide with census population data.

In 1997, victims of spousal violence represented 17% of all victims of violent offences reported to this sample of police agencies in Canada. Women were nearly 8 times more likely to be victimized by a spouse than were men: 31% of female victims and 4% of male victims were attacked by a spouse. Thus, of the more than 22,000 victims of spousal violence reported to a sub-set of police departments in 1997, women accounted for a large majority (88%), a total of 19,575 victims (Table 2.1).

Table 2.1  
**Spousal violence reported to police by gender of victims and relationship to accused, 1997<sup>1</sup>**

Relationship of accused to victim	Victim Sex					
	Total <sup>1</sup>		Female		Male	
	N	%	N	%	N	%
<b>Total accused</b>	<b>22,254</b>	<b>100</b>	<b>19,575</b>	<b>100</b>	<b>2,679</b>	<b>100</b>
Spouse <sup>2</sup>	15,371	69	13,611	70	1,760	66
Ex-spouse	6,883	31	5,964	30	919	34

<sup>1</sup> Excludes cases where the sex of the victim is unknown.

<sup>2</sup> Spouse includes both married and common-law partners.

**Source:** Revised Uniform Crime Reporting Survey (UCRII), Canadian Centre for Justice Statistics, Statistics Canada.

#### Type of incident

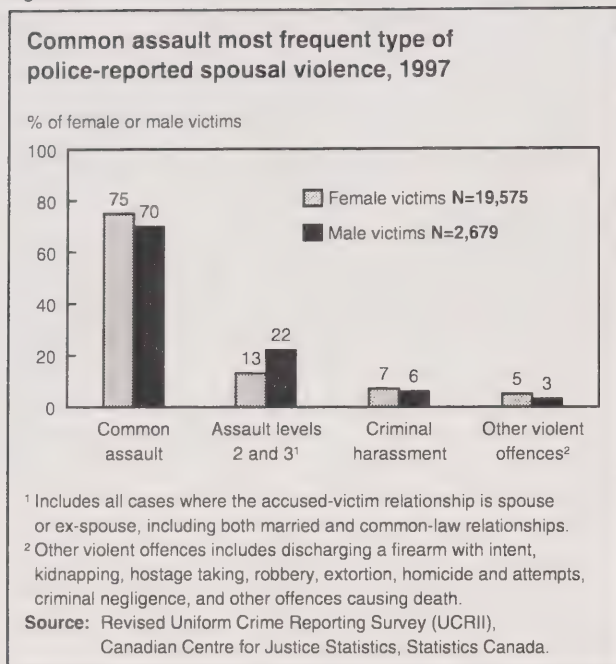
The introduction of Bill C-127 in 1983 had a significant effect on the number of common assault charges laid in incidents of spousal violence in Canada. This legislation redefined the physical assault sections of the *Criminal Code* so that common assault (level 1), i.e., an assault not involving a weapon or causing serious physical injury, could be treated either as a summary or an indictable offence. Following the implementation of the Bill, an officer could make an arrest with "reasonable or probable grounds" to believe an assault had been committed, rather than after the previously more rigorous standard of having witnessed the assault or the resulting "bodily harm." Thus, rather than leaving the scene of a domestic dispute without laying charges, the law enabled officers to intervene at an earlier stage, and possibly prevent further violence from occurring (Kingsley, 1993).

In 1997, common assault represented the largest proportion (74%) of spousal violence incidents reported to the sample of police forces. Of the victims of spousal violence, a greater proportion of women (75%) were victims of common assault than were men (70%) (Figure 2.1).

More serious forms of assault, such as assault with a weapon or causing bodily harm (level 2) and aggravated assault (level 3), were the second most frequently reported spousal violence crimes. Together these offences accounted for 14% of all reported victims. In contrast to common assault, men were proportionately more likely to be the victims of these more violent offences: 22% compared to 13% of women (Figure 2.1). This is due in part to the greater tendency for female aggressors to rely on weapons, than their own physical strength.

Criminal harassment (stalking) accounted for 7% of offences against spousal violence victims, and proportions were similar for female (7%) and male victims (6%) (Figure 2.1). Other violent offences including sexual assault, discharging a firearm with intent, kidnapping, hostage taking, robbery extortion, homicide and attempts, criminal negligence, and other offences causing death were committed against the remaining 5% of spousal violence victims: 5% against female victims and 3% against male victims.

Figure 2.1



### Sex of the victim

Women were more frequently the victims of all categories of spousal violence (Figure 2.2). This was particularly the case for kidnapping/hostage-taking and sexual assault where women made up 98% of spousal violence victims. The proportions changed for offences such as assault levels 2 and 3, and homicide and attempted murder, where men accounted for 23% and 19% respectively.

### Age of the victim

Police statistics from 1997 indicate that the greatest proportion of reported spousal violence offences were perpetrated against victims between the ages of 25 and 34 years, and this was the case for both female (39%) and male victims (38%) (Figure 2.3). However, women were more likely to be victimized at younger ages than were men. Those under the age of 25 represented 22% of all female victims and 12% of male victims. The frequency of reported partner violence decreased in the older age groups (35-44 and 45+ years) but males were proportionately more likely to be victimized at an older age. One-half (50%) of all male victims were over the age of 34, in contrast to 39% of female victims.

Victimization surveys have also demonstrated that the incidence of spousal violence in the general population decreases with age. Data from the 1993 Violence Against Women Survey show that in the one-year period prior to

Figure 2.2

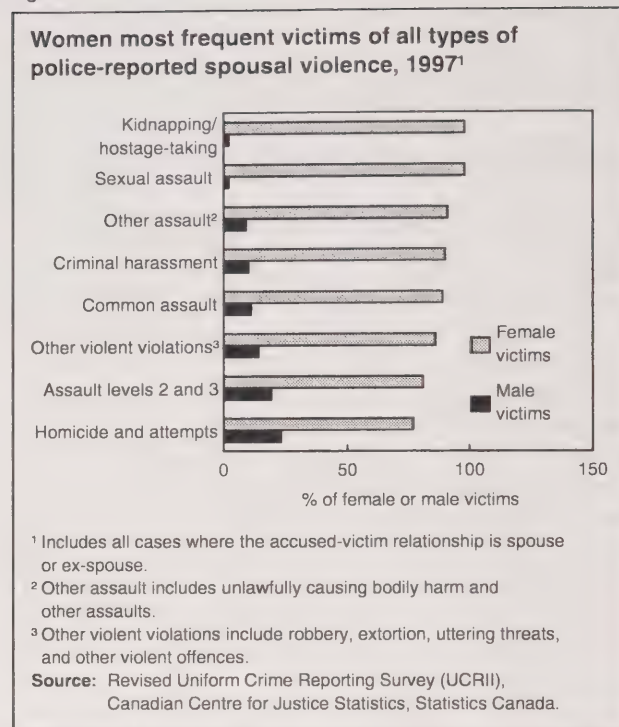
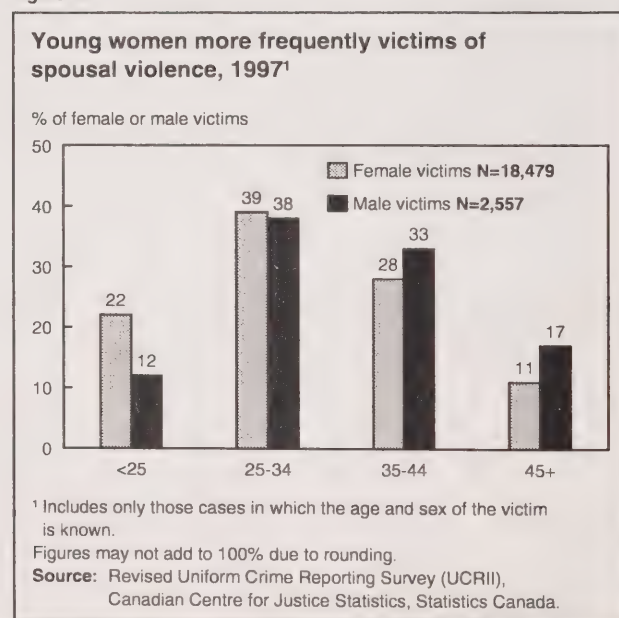


Figure 2.3



the survey, 12% of Canadian women aged 18-24 had been assaulted. This figure declined steadily with the age of both male and female partners to just 1% of those aged 45 and older.



The age of victims of police-reported spousal violence varies somewhat by the type of offence. In 1997, data from the UCRII sample showed that female victims of sexual assault and kidnapping tended to be younger than female victims of other types of spousal violence (Table 2.2). Victims of police-reported spousal homicide and attempted murder were older than were victims of other spousal violence crimes. Approximately 20% of male and female victims were aged 50 and older, in contrast to 5% of females and 10% for all spousal violence crimes (Table 2.2).

### Use of a weapon

In 1997, either a weapon or physical force was used to cause injury in the majority (77%) of police-reported spousal violence offences.<sup>1</sup> Physical force was the cause of injury in most incidents (68%), and this was more likely to be the case for female victims (69%) than for male victims (48%). In 7% of spousal violence cases a weapon was used. Men were proportionately more likely to be the victims of offences where weapons were used (17%) than were women (5%) (Table 2.3). However, firearms were seldom used by either men or women.

The greater use of knives, blunt instruments, and other weapons against male victims can be partly explained by the relative differences in strength between men and women. Thus, when size and strength are not a factor, women may be less likely to use weapons. This was the case in same-sex relationships where female aggressors were less likely to use weapons.

There were a total of 373 same-sex relationships in the sample used in Table 2.4 – 98 female couples, and 275 male couples.<sup>2</sup> Male perpetrators of spousal violence were more

Table 2.3

### Weapon or force causing injury by sex of victims of spousal violence, 1997<sup>1,2</sup>

Weapon causing injury		Total	Victim sex	
			Female	Male
<b>Total number</b>	<b>N</b>	<b>19,000</b>	<b>16,727</b>	<b>2,273</b>
Total percent	%	100	100	100
No injury	%	23	23	25
Type of weapon unknown	%	2	2	3
Physical force	%	68	69	48
Total weapon	%	7	5	17
<b>Total weapon</b>	<b>%</b>	<b>100</b>	<b>100</b>	<b>100</b>
Firearm	%	3	4	-
Knife/piercing cutting	%	38	32	51
Club/blunt instrument	%	24	27	17
Other weapons <sup>3</sup>	%	36	37	31

- Nil or zero.

<sup>1</sup> Excludes incidents in which the sex of the victim was unknown.

<sup>2</sup> Excludes data from Toronto police due to data quality.

<sup>3</sup> Other weapon includes those not belonging to other categories, e.g., poison, devices used to strangle, or motor vehicles.

**Source:** Revised Uniform Crime Reporting Survey (UCRII), Canadian Centre for Justice Statistics, Statistics Canada.

likely to rely on their own physical strength than on a weapon in both same-sex and heterosexual relationships: men used physical force against 64% of male and 71% of female victims, and weapons against 8% of male and 5% of female victims (Table 2.4). In contrast, female

<sup>1</sup> The Revised Uniform Crime Reporting Survey (UCRII) captures data on the weapon causing injury to the victim. These data cover incidents in which either a weapon or bodily physical force was used to cause injury.

Weapons include firearms, knives, piercing or cutting instruments, clubs or blunt instruments, or any other objects used to injure.

<sup>2</sup> Readers are cautioned that this analysis is based on only those incidents for which there is a single accused and a single victim. Thus, percentages are derived from a sample of incidents representing 79% of the sample used in the remainder of the section.

Table 2.2

### Police-reported spousal violence, offence type by sex and age of victims, 1997<sup>1</sup>

Offence Type	Victim Age															
	Female Victims								Male victims							
			<20	20-29	30-39	40-49	50-59	60+			<20	20-29	30-39	40-49	50-59	60+
	N	%	%	%	%	%	%	%	N	%	%	%	%	%	%	%
Total²	18,479	100	6	35	37	16	4	1	2,557	100	3	25	40	22	7	3
Physical Assault	16,192	100	6	35	38	16	4	1	2,336	100	3	25	40	22	7	3
Criminal Harassment	1,393	100	5	33	37	19	5	1	154	100	3	25	40	20	10	2
Sexual Assault	383	100	9	38	34	15	3	1	10	100	--	--	--	--	--	--
Kidnapping/Hostage-Taking	267	100	11	46	28	9	5	-	5	100	--	--	--	--	--	--
Other Violent Violations²	165	100	2	33	35	19	8	4	28	100	14	18	36	21	-	11

Figures may not add to 100% due to rounding.

- Nil or zero.

-- Amount too small to be expressed.

<sup>1</sup> Includes cases where accused victim relationship is spouse or ex-spouse. Spouse includes both married and common-law relationships.

<sup>2</sup> Other violent violations include robbery, extortion, utter threats to person, and other violations causing death/bodily harm.

**Source:** Revised Uniform Crime Reporting Survey (UCRII), Canadian Centre for Justice Statistics, Statistics Canada.

perpetrators were more likely than males to rely on weapons (21%); and this was particularly the case where the partner was male (22%) rather than female (12%).

When weapons were used, women most frequently used knives, against both male (52%) and female (42%) victims. Men used firearms more frequently than did women, and in most of these cases the victim was a woman (Table 2.4).

### Physical injury

According to the UCRII survey, minor injuries are those that require no professional medical treatment or only some first aid, whereas major injuries require professional medical attention at the scene or transportation to a medical facility. In 1997, victims of spousal violence were more likely to suffer minor physical injuries (70%) than either no injuries (26%), or major physical injuries or death (4%)(Table 2.5). Women tended to have suffered relatively more minor injuries (70%) than did men (66%). Overall, women accounted for 88% of all spousal violence victims who sustained an injury.

Victimization survey data show that approximately half of all victims of spousal violence in the population experience some level of injury. For instance, the Violence Against Women Survey showed that of all Canadian women who had experienced violence, 45% indicated that they had suffered injury and 43% of these injured women had required medical attention. Bruising was the most common form of injury (90%), followed by cuts, scratches, and burns (33%), broken bones (12%) and fractures (11%). Almost

Table 2.5

### Level of injury by sex of spousal assault victims, 1997<sup>1</sup>

Level of injury	Total victims		Female victims		Male victims	
	N	%	N	%	N	%
<b>Total</b>	<b>16,785</b>	<b>100</b>	<b>14,758</b>	<b>100</b>	<b>2,027</b>	<b>100</b>
No injuries	4,399	26	3,825	26	574	28
Minor injuries	11,692	70	10,352	70	1,340	66
Major physical injuries or death	694	4	581	4	113	6

<sup>1</sup> Includes only those incidents in which either a weapon or physical force was used by the accused.

Source: Revised Uniform Crime Reporting Survey (UCRII), Canadian Centre for Justice Statistics, Statistics Canada.

10% of women also reported that they had suffered internal injuries or miscarriages.<sup>3</sup>

### Laying charges

When a criminal investigation leads to the identification of a suspect, an information is laid against the accused person and the incident is recorded as "cleared by charge." If there is not enough evidence or if the police decide not to lay an information for a variety of other reasons (e.g., the victim requests that charges not be laid or refuses to cooperate with the police, or the police recommend alternative measures, etc.), the incident is recorded as "cleared otherwise."

<sup>3</sup> Injury categories are not mutually exclusive and therefore add to more than 100%.

Table 2.4

### Weapon or force causing injury by sex of accused spouse and sex of victims, 1997<sup>1,2,3</sup>

Weapon causing injury		Total accused	Victim					
			Accused female			Accused male		
			Total	Female	Male	Total	Female	Male
<b>Total Number</b>	<b>N</b>	<b>15,913</b>	<b>1,527</b>	<b>98</b>	<b>1,429</b>	<b>14,386</b>	<b>14,111</b>	<b>275</b>
<b>Total Percent</b>	<b>%</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>
No Injury	%	22	24	19	24	22	22	23
Type of weapon unknown	%	2	2	-	3	2	2	5
Physical force	%	69	53	68	52	71	71	64
Total weapon	%	7	21	12	22	5	5	8
<b>Total weapon</b>	<b>%</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>
Firearm	%	2	-	-	-	3	3	-
Knife/piercing cutting	%	38	52	42	52	32	32	35
Club/blunt instrument	%	24	16	25	16	27	27	35
Other weapons <sup>4</sup>	%	36	32	33	32	38	38	30

Figures may not add to 100% due to rounding.

- Nil or zero.

-- too small to be expressed.

<sup>1</sup> Includes only those cases where weapon-causing injury is known.

<sup>2</sup> Excludes data from Toronto police due to data quality.

<sup>3</sup> Based only on those incidents for which there is a single accused and a single victim. Thus, percentages are derived from a sample of incidents representing 79% of the sample used in the remainder of the section.

<sup>4</sup> Other weapon includes those not belonging to other categories, e.g., poison, devices used to strangle, or motor vehicles.

Source: Revised Uniform Crime Survey (UCRII), Canadian Centre for Justice Statistics, Statistics Canada.



In 1997, charges were laid in a majority (83%) of violent incidents between spouses. The remaining 17% of cases were cleared otherwise. In 12% of incidents the police did not lay charges at the request of the victim. In the remaining 5% of cases charges were cleared in other ways, most often for reasons of departmental discretion (including alternative measures and informal cautioning) (Table 2.6).

Incidents involving female victims were more likely to result in charges being laid (85%) compared to 67% for male victims. Male victims were more likely than female victims to request that charges not be laid (22% compared to 11%).

Table 2.6

#### Incident clearance status by sex of victims in police-reported spousal violence, 1997<sup>1</sup>

Incident clearance status	Total victims		Female victims		Male victims	
	N	%	N	%	N	%
<b>Total</b>	<b>19,707</b>	<b>100</b>	<b>17,453</b>	<b>100</b>	<b>2,254</b>	<b>100</b>
<b>Cleared by charge</b>	<b>16,332</b>	<b>83</b>	<b>14,820</b>	<b>85</b>	<b>1,512</b>	<b>67</b>
<b>Cleared otherwise total</b>	<b>3,375</b>	<b>17</b>	<b>2,633</b>	<b>15</b>	<b>742</b>	<b>33</b>
Complainant requests charges not be laid	2,373	12	1,880	11	493	22
Other	1,002	5	753	4	249	11

<sup>1</sup> Excludes cases where no accused was identified in connection with the case.

Source: Revised Uniform Crime Reporting Survey (UCR), Canadian Centre for Justice Statistics, Statistics Canada.

#### Location of the incident

As would be expected, a large majority (89%) of incidents of reported spousal violence occur in residential dwellings (Figure 2.4). This is generally true whether the accused was a current spouse (93%) or an ex-spouse (82%). The relatively larger percentage of violence by ex-partners in non-residential settings is consistent with the relatively high percentage of criminal harassment (or stalking) committed by ex-partners (see Section 2.5).

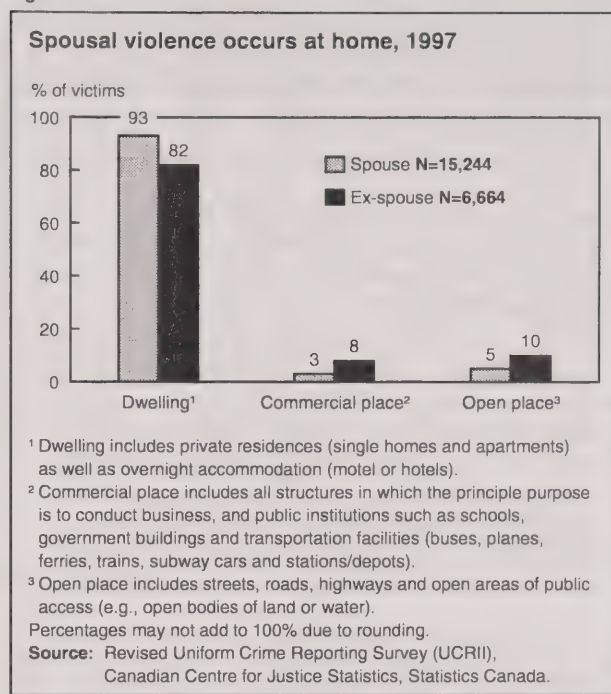
## 2.2 Spousal violence in the northern territories

Information on police-reported family violence in the northern territories has not previously been available through Statistics Canada because the RCMP do not yet participate in the Revised Uniform Crime Reporting Survey and, for various methodological reasons, Statistics Canada victim surveys have been unable to include the territories. This section examines aspects of spousal violence in Yukon and the Northwest Territories based on limited RCMP data from 1984 to 1997.

#### Incidents reported to the RCMP

When the RCMP suspect that spousal assault has occurred in relation to another incident, a code is added to that incident on the Operational Statistics Reporting

Figure 2.4



System (OSR). These data provide a general indication of whether a spousal assault has occurred in conjunction with another offence.

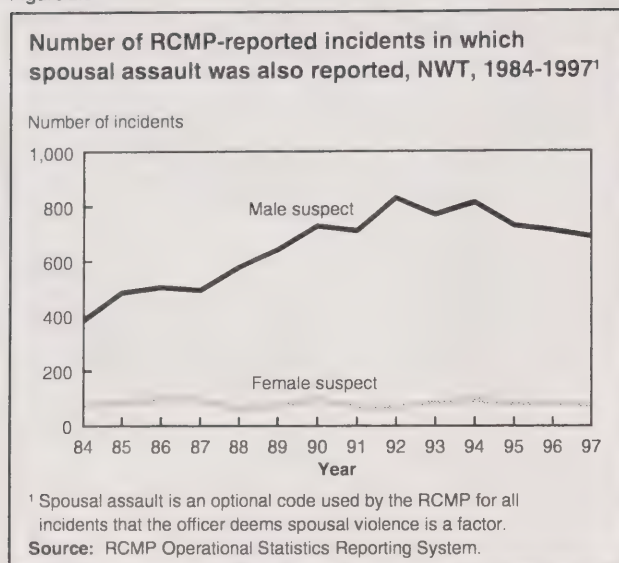
While this information should not be considered to be a comprehensive measure of the total number of spousal violence offences, it does provide an indication of the nature and extent of the problem over time. In 1997, incidents in which spousal assault was also reported to have occurred accounted for approximately 20% of all violent offences reported in both Yukon and the Northwest Territories.

Two patterns emerge from the RCMP data. First, like in other police statistics, men are more frequently the offenders in reported incidents of spousal assault, and second, the rate of reported incidents of spousal assault, though declining in recent years, is higher in the Northwest Territories than in the Yukon.

From 1984 to 1997, for incidents involving spousal assault, the ratio of male to female offenders was 7 to 1 in the Yukon and 8 to 1 in the Northwest Territories (Figures 2.5 and 2.6).

The Northwest Territories has a greater rate of reported incidents of spousal assault per 10,000 population than does the Yukon; however, this rate is declining. Following a steady rise from 1984, the rate of reported incidents involving male suspects in the Northwest Territories peaked in 1992 with 373 incidents per 10,000 legally married, separated or common-law males aged 15 and

Figure 2.5



over. Since 1992 the rate has dropped to 290 incidents per 10,000 population. The rate of incidents involving female suspects fluctuated between a high of 54 in 1986 and 1987 to a low of 33 per 10,000 in 1992 and 1997 (Table 2.7).

The rate incidents involving both male and female suspects in the Yukon peaked in 1985 (187 per 10,000 males and 38 per 10,000 females) and declined until recent years when the rate of incidents involving males reached 181 in 1995 and the rate of incidents involving females reached 28 in 1997 (Table 2.7).

Table 2.7

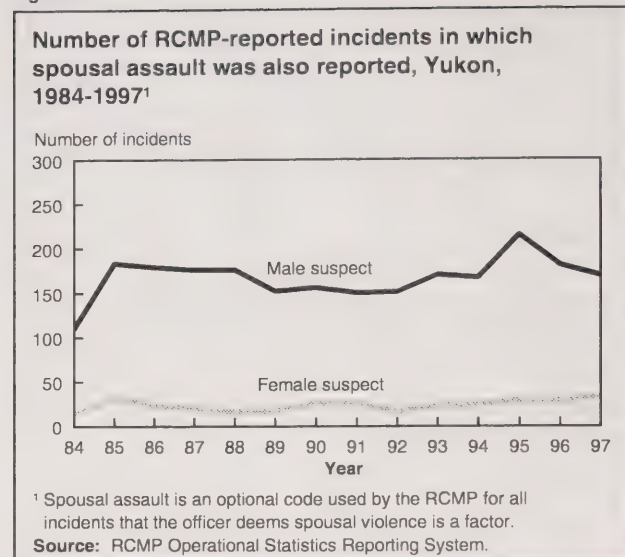
**Number and rate of spousal assault incidents reported to the RCMP in the NWT and Yukon, 1984-1997<sup>1</sup>**

Year	NWT				Yukon			
	Female suspect		Male suspect		Female suspect		Male suspect	
	N	Rate	N	Rate	N	Rate	N	Rate
1984	72	43	384	200	13	15	110	115
1985	85	49	486	243	33	38	183	187
1986	95	54	505	249	24	27	179	181
1987	96	54	495	243	20	22	176	169
1988	65	36	578	281	16	17	176	163
1989	72	39	642	308	18	18	152	139
1990	96	51	729	341	26	26	156	140
1991	71	37	711	324	26	25	150	130
1992	65	33	831	373	16	15	151	126
1993	85	42	770	342	23	21	170	140
1994	93	44	814	355	24	22	167	144
1995	83	39	730	313	30	27	215	181
1996	84	39	712	302	29	25	181	146
1997	73	33	690	290	33	28	169	134

<sup>1</sup> Rate of incidents per 10,000 legally married, separated and common-law males and females, based on July 1 estimates.

Source: RCMP Operational Statistics Reporting System.

Figure 2.6



## 2.3 Trends in spousal violence<sup>4</sup>

Based on a sample of 60 police agencies in 5 provinces that have consistently participated in the UCR II survey since 1993, it is possible to examine certain emerging trends in spousal violence in Canada.

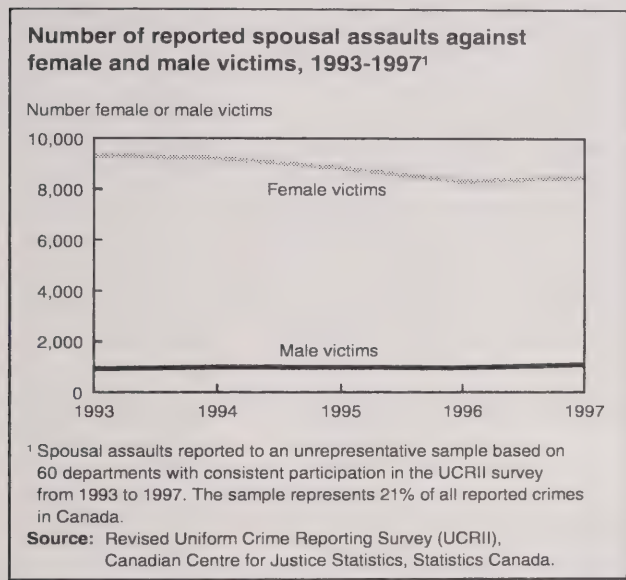
<sup>4</sup> Police departments across Canada began participating at various times throughout the history of the UCR II survey. As a result, this analysis is limited to 60 police departments that have consistently reported for 5 years (1993-1997). The data represent approximately 21% of the national volume of crime. They are collected from urban police departments and are not nationally representative.



The number of police-reported incidents of spousal assault (including all physical and sexual assaults) dropped 9%, from a high of 10,225 incidents in 1993 to 9,296 in 1996.<sup>5</sup> This trend is consistent with the overall decline in crime rates during the same time period (Kong, 1998). In 1997, the number of cases rose to 9,556, which was a 3% increase over the previous year, but a 7% drop from 1993.

Patterns differ for male and female victims. While the ratio of female to male victims dropped from 10:1 in 1993 to 8:1 in 1997, the number of reported female victims decreased by 8% and the number of male victims increased by 18% over the period (Figure 2.7).

Figure 2.7



## 2.4 International comparisons of spousal violence

Violence and the threat of violence are concerns for women around the world. This can take many forms, including assaults by spouses and other intimate partners, sexual assault, rape in war, child marriage, dowry-related murder, honour killings, female infanticide, trafficking of women and forced prostitution, and female genital mutilation (Heise, 1994). These various forms of violence against women are increasingly recognized as important public health and human rights issues because of the grave emotional, physical, social, and economic repercussions they have for victims and their children.

Governments in many developed and developing countries world-wide have begun to implement laws, policies and services to assist female victims of violence, to increase

public education and awareness, and to reduce the occurrence of these behaviours. One important activity has been to respond to calls from researchers, policy makers, lawmakers and service providers for reliable data about the prevalence and nature of violence against women.

A broad range of research has proliferated, including qualitative ethnographic studies of victims, health outcome studies, and evaluations of service delivery, to name a few. Recognizing the limitations of data gathered through state agencies (such as police or health clinics) for acquiring information about acts of violence that are notoriously under-reported, there has emerged a strong preference for surveys using the random selection method of interviewing women in the population. This method reduces the biases inherent in interviewing only women who use certain services, contact certain agencies for help, or who differ from women in the general population in other important ways.

Representative sample surveys on violence by men against their spouses have recently been conducted in a variety of countries with good results. They include highly industrialized countries like Canada, the United States, Great Britain, and Australia, but also developing countries like Nicaragua, Mexico, and Cambodia.

Sophisticated techniques of computer-assisted interviewing, interviewer training, and random selection have facilitated survey work on very sensitive topics in highly developed countries. Acquiring representative samples of women willing to be interviewed in countries emerging from decades of war and pervasive violence, such as Cambodia and Nicaragua, present special challenges. Through ingenuity and community-building at the local level, and skill building at the international level, researchers in many developing countries have succeeded in documenting a problem that affects significant proportions of women in these countries each year.<sup>6</sup>

Table 2.8 describes various sample surveys on spousal assault recently conducted in a selected group of countries around the world.

<sup>5</sup> It is not possible to calculate rates of occurrence because the boundaries of many police agencies do not coincide with census population data.

<sup>6</sup> One forum that serves to connect researchers working in this area is the International Research Network on Violence Against Women with a secretariat centred in Washington, D.C. A current project of this group is to develop and test a manual to assist researchers in resource-poor settings to undertake scientifically sound surveys.

**Table 2.8**  
**Methodologies of representative sample surveys on spousal violence against women in selected countries**

Survey	Geographic frame	Sample Size	Mode of Interviewing	Prevalence rates	Definition of spousal assault
<b>Canada</b> Violence Against Women Survey, 1993 <sup>1</sup>	Ten provinces (excludes the northern territories)	12,300 women age 18 and over	Telephone	29% ever assaulted by a spouse; 3% assaulted in last the 12 months	Sexual and physical violence by spouses
<b>United States</b> National Violence Against Women Survey, 1996 <sup>2</sup>	National	8,000 women and 8,000 men age 18 and over	Telephone	25% ever assaulted by a spouse; 1.5% assaulted in the last 12 months	Sexual and physical violence by spouses
<b>Australia</b> Women's Safety Survey, 1996 <sup>3</sup>	National	6,300 women age 18 and over	Combination of telephone and face-to-face	23% ever assaulted by a spouse; 2.6% assaulted in the last 12 months	Sexual and physical violence by spouses
<b>England and Wales</b> British Crime Survey, 1996 <sup>4</sup>	England and Wales	6,000 women age 16 and over	Self-completed face-to-face interviews	23% aged 16-59 ever assaulted by a spouse; 4.2% assaulted in the last 12 months	A module of questions on physical violence by spouses among questions about other types of crimes
<b>Nicaragua</b> City of Leon <sup>5</sup>	City of Leon, population 195,000	488 women age 15-49	Face-to-face	52% ever assaulted by a spouse	Physical violence by spouses
<b>Mexico</b> Mexico City, 1992 <sup>6</sup>	Mexico City	342 women age 15 or older	n/a	33% ever assaulted by a spouse; 6% marital rape	n/a
<b>Chile</b> City of Santiago <sup>7</sup>	City of Santiago	1,000 women age 22-55 in a relationship for 2 years or more	n/a	26% severe physical violence by current spouse	Physical violence by current spouse
<b>Colombia</b> Part of Colombia's Demographic and Health Survey, 1990 <sup>8</sup>	National	5,390 women	n/a	20% physical violence by current spouse 10% marital rape	Sexual and physical violence by current spouse
<b>Korea</b> <sup>9</sup>	National	707 women and 609 men living with a partner for at least 2 years	Face-to-face	37% physical violence in past year; 12% severe violence	Physical violence by current spouse
<b>Cambodia</b> Household Survey on Domestic Violence in Cambodia, 1995 <sup>10</sup>	Six provinces and Phnom Penh	1,374 women and 1,286 men, currently or previously	Face-to-face	16% physical violence by current spouse	Physical violence by current spouse
<b>Malaysia</b> National Study on Domestic Violence, 1989 <sup>11</sup>	National	713 women and 508 men over 15 years of age	n/a	39% physical violence in past year	Physical violence by current spouse
<b>Papua New Guinea</b> <sup>12</sup>	National with stratified urban/rural sample	1,112 women; 1,282 men	Face-to-face	67% of rural women 56% of urban low-income 62% of urban elites	Physical violence by spouses

n/a Not available.

<sup>1</sup> Violence Against Women Survey, Statistics Canada, 1993.

<sup>2</sup> Tjaden and Thoennes, 1998.

<sup>3</sup> McLennan, 1996.

<sup>4</sup> Mirrlees-Black, 1999.

<sup>5</sup> Ellsberg et al., 1996.

<sup>6</sup> Shrader and Santiago, 1992.

<sup>7</sup> Larrain, 1993.

<sup>8</sup> Profamilia, 1990.

<sup>9</sup> Kim and Cho, 1992.

<sup>10</sup> Nelson and Zimmerman, 1996.

<sup>11</sup> Women's Aid Organization, 1992.

<sup>12</sup> Toft, 1986.



As is the case with any international crime data, comparisons between these widely disparate surveys should be approached cautiously. There are important differences in methodology among these surveys, required in part by the resources available and in part by the local laws and culture in the countries of the women and men responding. Accurate interpretation of these statistics requires an understanding of the history, culture and legal and social systems of each country.

In most cases, the definitions of violence are based on a series of behaviourally-specific questions rather than legal or emotional labels (such as *battering* or *rape*). In most cases, the figures cover violence at any time during a marital relationship, including common-law partners, but some refer only to current spouses, and some only to the one-year period preceding the interview.

Notwithstanding the difficulties in making comparisons cross-culturally, and despite significant cultural differences among these countries, the results of these surveys show that developed and developing countries alike harbour significant levels of violence against women in the domestic realm. When details about the level of violence are reported in these studies, they indicate that many women suffer extreme forms of violence. They also show that the experience of spousal violence crosses socio-economic lines and is not easily predicted by one or two causal factors.

## 2.5 Criminal harassment

The criminal harassment provisions of the *Criminal Code* came into force on August 1, 1993 in the wake of several highly publicized murders of women by their estranged partners. The rationale behind the new legislation was to protect victims of criminal harassment by criminalizing otherwise lawful individual acts that cumulatively amounted to "stalking."

According to data from the sample of 179 police departments, women continue to make up the greatest proportion of all victims of all reported criminal harassment incidents (79% of victims in 1997). By comparison, woman accounted for 50% of victims of all violent incidents in 1997.

Non-family members were the perpetrators in a majority (58%) of criminal harassment incidents, while incidents involving family members accounted for 37% (Table 2.9). Female victims were proportionately more likely to be victimized by a family member (41%) than were male victims (21%).

Within family-related stalking incidents, perpetrators were most likely to be a former spouse of the victim. This is particularly the case for women where a majority (82%) were stalked by an ex-spouse and 9% by a current spouse. Two-thirds (67%) of men were stalked by an ex-spouse and just 4% by a current spouse. (Figure 2.8).

Table 2.9

### Relationship of accused to victims in incidents of criminal harassment, 1997<sup>1</sup>

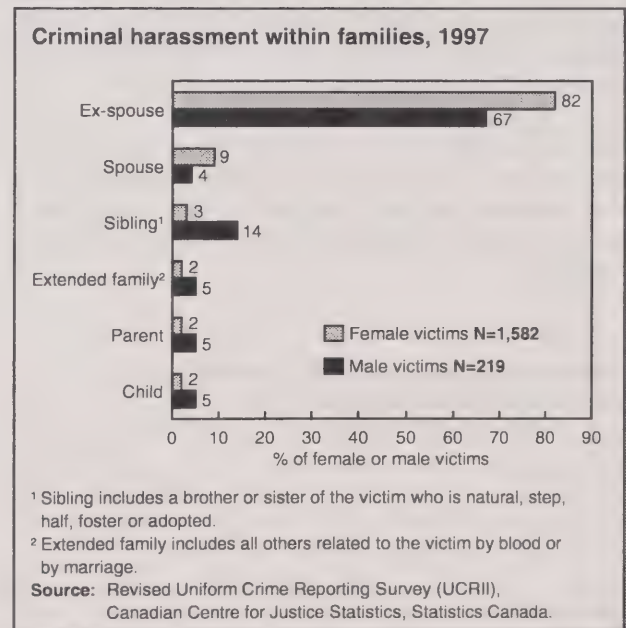
Relationship of accused to victim	Victim sex					
	Total <sup>1</sup>		Female		Male	
	N	%	N	%	N	%
<b>Total</b>	<b>4,873</b>	<b>100</b>	<b>3,829</b>	<b>100</b>	<b>1,044</b>	<b>100</b>
Family <sup>2</sup>	1,801	37	1,582	41	219	21
Non-family	2,826	58	2,064	54	762	73
Unknown	246	5	183	5	63	6

<sup>1</sup> Excludes cases in which victim sex was unknown.

<sup>2</sup> Family includes all relationships based on marriage, blood, or adoption.

Source: Revised Uniform Crime Reporting Survey (UCR II), Canadian Centre for Justice Statistics, Statistics Canada.

Figure 2.8



Overall, men were much more likely to stalk women (88%) than other men (12%) (Table 2.10). Within the category of family, this tendency was stronger where males were accused of stalking women in 96% of cases, and men in just 4%. In contrast, overall women were nearly as likely to be charged for stalking men (54%) and women (46%).

Table 2.10

**Criminal harassment by sex of accused, sex of victims and relationship, 1997<sup>1, 2</sup>**

Relationship of accused to victim	Female accused				Male accused			
	Total		Female	Male	Total		Female	Male
	%	N	%	%	%	N	%	%
<b>Total</b>	<b>100</b>	<b>320</b>	<b>46</b>	<b>54</b>	<b>100</b>	<b>2,318</b>	<b>88</b>	<b>12</b>
Family <sup>3</sup>	100	108	27	73	100	1,154	96	4
Non-family	100	212	55	45	100	1,164	79	21

<sup>1</sup> Excludes incidents where sex of victim or accused was unknown.

<sup>2</sup> Based only on those incidents for which there is a single accused and a single victim. Percentages derived are based on a sample of incidents representing 56% of the sample used in the remainder of the section.

<sup>3</sup> Family includes all relationships based on marriage, blood, or adoption.

**Source:** Revised Uniform Crime Reporting Survey (UCRII), Canadian Centre for Justice Statistics, Statistics Canada.

Within the category of family, however, women were more likely to stalk men (73%). This is unlike the case for male accused where the vast majority of victims in all relationship categories are female (Table 2.10).

In 1997, in incidents where an accused was identified,<sup>7</sup> 61% resulted in a charge being laid. In 24% of cases, no charges were laid because the victim declined to cooperate with the police in laying charges. Fear of repercussions, shame and embarrassment are among the possible reasons for victims to decline to assist the police in laying charges. Overall, male victims were more likely not to cooperate (31%) than were female victims (23%).

This was particularly the case when the accused stalker was a family member: one-third (33%) of male victims of family stalkers declined to cooperate with the police in laying charges compared to one-fifth (20%) of females (Table 2.11).

Table 2.11

**Clearance status by sex of victims for family-related incidents of criminal harassment, 1997<sup>1</sup>**

Clearance status	Victim sex			
	Total		Female	Male
	N	%	%	%
<b>Total</b>	<b>1,409</b>	<b>100</b>	<b>100</b>	<b>100</b>
<b>Cleared by charge</b>	<b>949</b>	<b>67</b>	<b>69</b>	<b>53</b>
<b>Cleared otherwise total<sup>2</sup></b>	<b>460</b>	<b>33</b>	<b>31</b>	<b>48</b>
Complainant requests not to have charges laid	297	21	20	33
Other <sup>3</sup>	163	12	11	15

<sup>1</sup> Excludes cases where an accused was not identified in connection with the incident.

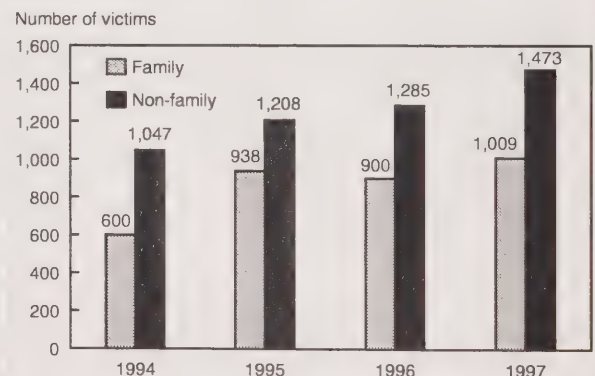
<sup>2</sup> Cleared otherwise refers to cases in which an accused has been identified and there is sufficient evidence to lay a charge, but for a variety of reasons the accused is processed by other means.

<sup>3</sup> Includes incidents where charges are not laid for reasons such as, departmental discretion including alternative measures and informal cautioning.

**Source:** Revised Uniform Crime Reporting Survey (UCRII), Canadian Centre for Justice Statistics, Statistics Canada.

Since the introduction of the legislation in 1993, the number of reported incidents of criminal harassment has increased for those involving both family and non-family members (Figure 2.9). Given that increases like this are not uncommon following the introduction of new legislation, it is difficult to determine whether it is due to an actual rise in the number of criminal harassment incidents in Canada, an increased willingness of victims to report, a change in the way police record these types of incidents, or some combination of these.

Figure 2.9

**Number of criminal harassment victims, 1994-1997<sup>1, 2</sup>**

<sup>1</sup> Criminal harassment reported to an unrepresentative sample based on 60 departments with consistent participation in the UCRII survey from 1994 to 1997. The sample represents 21% of all reported crimes in Canada.

<sup>2</sup> Excludes cases where accused-victim relationship was unknown.

**Source:** Revised Uniform Crime Reporting Survey (UCRII), Canadian Centre for Justice Statistics, Statistics Canada.

<sup>7</sup> An accused person was not identified in 33% of criminal harassment incidents reported to the police.



### Dating violence has many of the same risk factors as marital violence

There are many factors that may act as correlates or precursors to violence against wives (Johnson, 1996). Many of the risk factors are similar for dating and marital violence. For example, the young age of the partners, childhood exposure to family violence, the presence of emotional abuse, and abuse of alcohol are factors that increase the risk of violence by both dates and spouses.

It has been shown that those who grow up in abusive homes and witness violence occurring in their family life are at increased risk of becoming victims and perpetrators of violence themselves (Jaffe, Wolfe, & Wilson, 1990). These young people may grow up with certain expectations about the appropriateness of using violence to settle conflicts, and about the proper roles for men and women in intimate relationships. This may increase their risk of forming abusive relationships with dating partners, setting the stage for relationship patterns in the future.

The prevalence of dating violence in Canada has been estimated by the 1993 Violence Against Women Survey (VAWS) and the Transition Home Survey. According to the VAWS, 1.7 million (16%) Canadian women have been involved in at least one incident of sexual or physical assault by a date or boyfriend since the age of 16. Further, 24% of single women in the 18 to 24 age group reported that they had been assaulted by a date, while the figure for single women 25 to 34 years of age was 29%.

Table 2.12

### Number and percentage of women 18 years and over who have experienced dating violence, Canada, 1993

Type of assault	Number (in '000s)	%
<b>All women 18 and over</b>	1,700	16
Sexual assault	1,300	12
Physical assault	800	7
<b>Single women 18-24</b>	200	24
Sexual assault	100	15
Physical assault	100	14
<b>Single women 25-34</b>	200	29
Sexual assault	100	19
Physical assault	100	18

*Source: Violence Against Women Survey, Statistics Canada.*

Data from the 1997-1998 Transition Home Survey show that 5% (115) of the 2,260 women in shelters on April 20, 1998 were escaping violence that occurred in a current or ex-dating relationship.

Homicide Survey data show that there were 370 homicides attributed to dating relationships from 1978 to 1997 in Canada. These accounted for 4% of all homicides over the period (2% of male victims and 6% of female victims). One-half of these victims were under the age of 30 years, and 14% were under the age of 20. Shooting was the most common cause of death (37%), and was followed by stabbing (34%) and strangulation (15%).





### 3.0 VIOLENCE AGAINST OLDER ADULTS BY FAMILY MEMBERS<sup>8</sup>

According to Statistics Canada, 3.6 million persons, or 12% of the Canadian population, were aged 65 years and older in 1997. The proportion of older adults in the population has grown, from 9% in 1977 and 11% in 1987. It is projected to grow further, reaching 17% by 2016 and 23% by the year 2041. This increase will have significant impacts on all sectors of Canadian society, in particular, health and social services, consumer and financial markets, volunteer organizations that serve older adults, and the criminal justice system.

#### International Year of Older Persons

The United Nations has designated 1999 as the International Year of Older Persons (IYOP). The goals of such an initiative are to enhance harmony and promote mutual support across generations; increase recognition of seniors' contributions in their families and communities; and encourage all sectors of society to be responsive to the diverse, aging population in a rapidly changing world. The IYOP has special relevance to the Canadian situation because older persons make up one of the fastest growing groups in this country. In addition, Canada's diverse nature in terms of age, gender, cultural background, and socio-economic circumstances adds to the complexity of the situation for seniors.

For more information visit Health Canada's Division of Aging and Seniors internet website at <http://www.hc-sc.gc.ca/seniors-aines/index.htm> or the International Year of Older Persons' website at <http://iyop-aipa.ic.gc.ca>.

Since the 1980s, abuse of older Canadians has gained the attention of service providers, researchers, lobbyists, as well as policy makers. Abuse can include physical, psychological or financial mistreatment of adults over the age of 65 years (Health Canada, 1993). A lack of information has made it difficult to quantify and truly understand the nature of the problem. As is the case with other types of family violence, current statistics on abuse of older adults likely underestimate the extent of the problem since victims may be reluctant to identify themselves due to embarrassment, guilt or fear, or a lack of awareness that an offence has taken place.

#### 3.1 The incidence of violence against older adults<sup>9</sup>

Adults aged 65 and over accounted for 2% of the victims of all violent crime reported to the 179 police agencies in the UCR II survey in 1997. In almost one-quarter of these incidents family members were the perpetrators (Table 3.1). In incidents where a family member was accused, adult children were suspected in 40%, followed by spouses (36%), siblings (12%) and other extended family members (11%).

Table 3.1  
Number and proportion of older adult victims of violent crime by accused-victim relationship and sex of victims, 1997<sup>1</sup>

Relationship of accused to victim	Victim Sex					
	Total <sup>1</sup>		Female		Male	
	N	%	N	%	N	%
<b>Total</b>	<b>2,313</b>	<b>100</b>	<b>1,230</b>	<b>100</b>	<b>1,083</b>	<b>100</b>
Unknown	202	9	91	7	111	10
Non-family	1,566	68	780	63	786	72
Family	545	24	359	29	186	17
<b>Total family</b>	<b>545</b>	<b>100</b>	<b>359</b>	<b>100</b>	<b>186</b>	<b>100</b>
Spouse	197	36	145	40	52	28
Adult child	219	40	142	40	77	41
Sibling <sup>2</sup>	68	12	42	12	26	14
Extended family <sup>3</sup>	61	11	30	8	31	17

Figures may not add to 100% due to rounding.

<sup>1</sup> Includes only cases where victim sex and family accused-victim relationship are known.

<sup>2</sup> Sibling includes natural, step, foster, or adopted siblings.

<sup>3</sup> Extended family includes others related by blood or marriage, e.g., grandparents, aunts, uncles, cousins and in-laws.

**Source:** Revised Uniform Crime Reporting Survey (UCR II), Canadian Centre for Justice Statistics, Statistics Canada.

As was the case in incidents of spousal violence, older women were more frequently the victims of violence committed by family members than were older men. Family members were implicated in 29% of all violent incidents

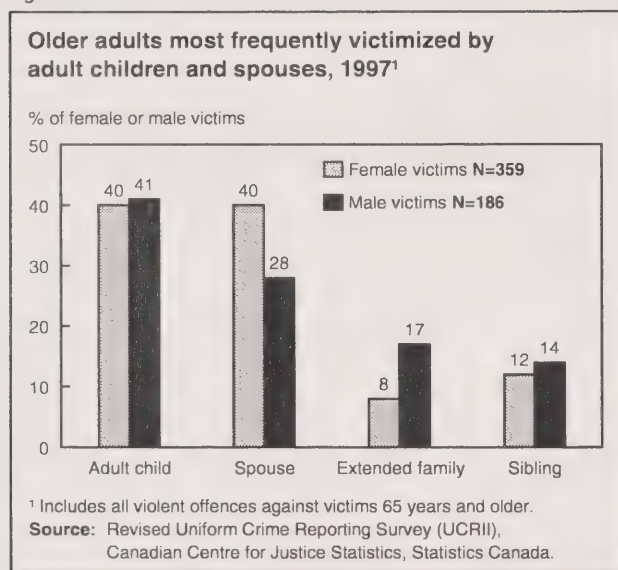
<sup>8</sup> For the purposes of this analysis, "older adults" refers to Canadians aged 65 and over.

<sup>9</sup> In this section, abuse refers to Criminal Code violent offences committed against persons aged 65 and over, by family members, and reported to the police (UCR II).

against older women compared to 17% of those against older men.

Police statistics reveal that older men were proportionately more likely to be victimized by their adult children (41%), than by a spouse (28%). In contrast, older women were victimized equally as often by adult children (40%) and spouses (40%) (Figure 3.1). It is not surprising that a large proportion of older women are victimized by their spouses, since many of these cases can be characterized as a continuation of violence that began earlier in the relationship. Research suggests that there are forces that perpetuate wife abuse into old age such as a strong inhibition of exposing family problems, self-blame, and anxiety about material and personal impacts of leaving a long-term relationship (Aronson, Thornewell and Williams, 1997).

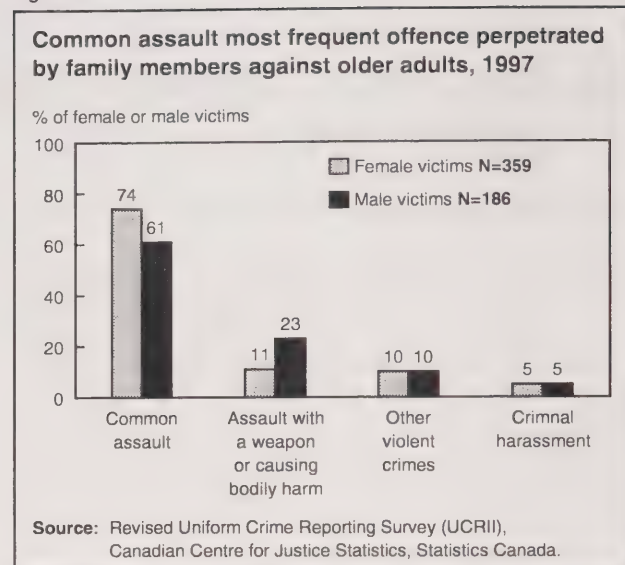
Figure 3.1



A majority of violent offences committed by family members against older adults were physical assaults (85%). Common assault, or assault not involving a weapon or causing serious physical injury, accounted for 70% of these incidents. Again, following the same trend as in cases of spousal violence, a higher proportion of older women fell victim to common assault (74% versus 61% of men), whereas a greater proportion of older men were victims of more serious assault (Figure 3.2).

Even though the majority of assaults by family members against seniors were common assaults, over one-half (53%) of older people who reported a violent crime to the police sustained some type of injury. Of these incidents,

Figure 3.2



most (85%) involved minor injuries, while 15% were for more serious physical injuries that required some medical attention.

#### Financial Abuse of Older Adults

Financial abuse of seniors is usually defined as the misuse of money or property by a relative or a person in a position of trust. Some definitions include fraud or the misappropriation of an older person's funds by someone other than a family member. Given the varying definitions of the problem, and the reluctance of victims to report occurrences, quantifying financial abuse of older people has proven to be a difficult task.

Some studies have indicated that financial or material abuse is the most frequently reported type of elder abuse. For example, the 1989 National Survey on Abuse of the Elderly in Canada (Health and Welfare Canada) reported that over 50% of documented elder abuse cases were financial in nature rather than physical, sexual, or psychological. This study measured financial abuse perpetrated by family members and other trusted individuals (Podnieks et al., 1990).

According to "Project Phonebusters" of the Ontario Provincial Police, in 1998, nearly two-thirds (62%) of the victims of telemarketing fraud that paid out money were over the age of 60. This group sustained a total dollar loss of \$5,818,300. Furthermore, people over 60 years accounted for the majority (77%) of those victimized by scams exceeding \$5,000.



### 3.2 Adult protection legislation

Police statistics show that family members are responsible for a substantial proportion of the reported criminal victimization of the elderly. These findings lend support to other research indicating that older adults are at greatest risk within the family or in private nursing homes (Podnieks, et al., 1990). An increased understanding of the problem arising out of recent research has led several provinces to introduce adult protection legislation as part of an overall strategy to detect and prevent senior abuse (for more information see Gordon and Verdun-Jones, 1995).

Currently, adult protection legislation exists in four provinces: Newfoundland, Prince Edward Island, Nova Scotia and New Brunswick. The legislation varies across these four provinces; however, there are core elements common to all acts. These include definitions of abuse and/or neglect, the age and status of the adult, the penalties against abusers, and the penalties for failure to report known abuse. In the remaining provinces and territories there exists omnibus adult guardianship legislation that includes provisions for protecting abused or neglected seniors. Table 3.2 outlines key provisions of the provincial/territorial legislation.

Table 3.2

## Adult protection legislation in the provinces and territories

Province/ Territory	Year came into force	Legislation	Types of abuse specified	Penalties against abusers	Penalties for failure to report
Nfld.	1973	The Neglected Adults Welfare Act, S.N. 1973, No. 81	Neglect, but not abuse	Neglect is a specific offence that can result in a fine of up to \$200, a sentence of imprisonment for up to two months, or both fine and imprisonment	Fine of up to \$200, or if fine is defaulted, sentence of imprisonment for up to two months, or both fine and imprisonment
P.E.I.	1988	Adult Protection Act, R.S.P.E.I. 1988, CA-5	Continuous or repeated abuse, neglect, or endangerment by a person responsible for supervision	A protective intervention order requires that the abuser follows one or more requirements. Failure to do so is an offence that can result in a fine of up to \$1,000, imprisonment for up to six months, or both	No penalties for failure to report, since reporting is voluntary
N.S.	1989	Adult Protection Act, R.S.N.S. 1989, c.2	Neglect and abuse	A protective intervention order may require that the abuser follows certain provisions. Violation of the order can result in a fine of up to \$1,000, imprisonment for up to one year, or both	Fine of up to \$1,000, or sentence of imprisonment up to one year, or both
N.B.	1980	Family Services Act, S.N.B. 1980, c.F-2.2 (formerly Child and Family Services and Family Relations Act, c.c-2.1)	Neglect and abuse	A protective intervention order may require that the abuser complies with certain provisions. Failure to comply is an offence that may result in a fine of up to \$1,000, imprisonment for up to six months, or both	No
Que.	1991	Civil Code of Quebec S.Q. 1991, c.64, Book One, Title 4, Chapter 3	Provisions for neglect and abuse	n/a	n/a
Ont.	1995	Substitute Decisions Act, S.O. 1992, C. 30	Part of the act deals with neglect and abuse	n/a	No penalties for failure to report, since reporting is voluntary
Man.	1992	Health Care Directives Act S.M. 1992, c. 33	Provisions for neglect and abuse	n/a	n/a
Sask.	1989	Dependent Adult Act, S.S. 1989-90, c. D-25.1	n/a	n/a	n/a
Alta.	1978	Dependent Adults Act, S.A. 1976; C. 63; now, R.S.A. 1980, D-32	n/a	n/a	n/a
	1998	Protection for Persons in Care Act, 1998, R.S.A. cP-19.5 (Note: applies only to abuse perpetrated by agencies against older adults)	Provisions for neglect and abuse	n/a	A fine up to \$2,000, and in default of payment, imprisonment for up to 6 months
B.C.	1993	Adult Guardianship Act, S.B.C. 1993, c.35 (has not yet been proclaimed)	Part of the act deals with neglect and abuse of adults	n/a	No penalties for failure to report, since reporting is voluntary
Y.T.	n/a	n/a	n/a	n/a	n/a
N.W.T.	After 1995	Guardianship and Trusteeship Act S.N.W.T. 1994, Bill 3	Provisions for neglect and abuse	n/a	n/a

n/a Not applicable.  
Source: Gordon and Verdun-Jones, 1995.



## 4.0 VIOLENCE AGAINST CHILDREN AND YOUTH BY FAMILY MEMBERS

Physical and sexual assaults are among the most pervasive causes of harm and death to children and youth, yet the most difficult to document (Trocmé and Brison, 1997). Assaults by family members account for a substantial portion of all assaults against children and youth. These incidents are frequently underreported because they often take place within the privacy of the home, and involve victims who are dependent on their abusers and fear the consequences of talking to anyone about it.

There is no single source of data that provide information about the nature and extent of the problem in Canada. Current information on child maltreatment is limited primarily to data based on police-reported incidents of assault and homicide, hospitalizations for violence-related injury, and child welfare data. Although these sources can begin to provide information about the incidence and characteristics of cases that come to the attention of authorities, they cannot provide information about the vast number of unreported cases. Despite the existence of mandatory reporting laws in provinces and territories requiring all citizens to report child abuse and neglect to authorities, it has been estimated that as many as 90% of cases are not reported to child welfare agencies (MacMillan, 1996).

### 4.1 The incidence of assault against children and youth<sup>10</sup>

While police-reported incidents of violence against children represent only a partial image of the extent of such violence, these reports provide an opportunity to profile cases of maltreatment that are detected and acted on by a sample of police agencies in Canada.

In 1997, children and youth under 18 years of age made up 24% of the Canadian population and were the victims in 23% of all police-reported assaults. They represented a majority of all sexual assault victims (60%), and nearly one-fifth (19%) of all physical assault victims. It should be noted, however, that in actual number, physical assaults

against children and youth outnumbered sexual assaults by nearly 3 to 1 (Table 4.1).

Family members were suspected in one-quarter (23%) of all assaults against children and youth (one-third of sexual assaults, and one-fifth of physical assaults) reported to the police in 1997 (Table 4.2). Girls and boys were the victims of sexual assault by family members in roughly similar proportions (32% and 29% respectively). In the case of physical assault, however, girls were comparatively more likely than boys to be assaulted by family members and less likely to be assaulted by strangers (29% and 14% respectively). This is consistent with the pattern of physical assaults against adults, where a higher proportion of women were victimized by family members (60%), and specifically by spouses (50%), than was the case for men (14% and 8% respectively).

Within families, parents are the main perpetrators of assault against children and youth. Parents represented 65% of family members accused of physically assaulting their children and 44% of those accused of sexually assaulting their children (Figure 4.1). Siblings accounted for 19% and 30%, respectively, and extended family members (including all others related by blood, marriage, common-law or adoption) for 9% and 25%, respectively. Finally, spouses accounted for 8% of the perpetrators of physical assault and 1% of the perpetrators of sexual assault against children and youth. The majority of these were against females, for whom physical assault by spouses made up 13% of cases (Table 4.3). These figures lend support to data from the VAWS which indicate that younger wives are at a disproportionately higher risk of spousal violence.

<sup>10</sup> In this section, violence against children and youth includes police-reported incidents of physical and sexual assault and homicide where the victim is less than 18 years of age. "Family" refers to immediate and extended family members related by blood, marriage, common-law or adoption, as well as legal guardians. If an accused is a boyfriend or girlfriend of a parent, he or she is likely to be reported as a non-family member.

Table 4.1

**Type of assault by age group of victim, 1997<sup>1</sup>**

Type of Assault	Total	Total	Total Child & Youth (<18)	Total Adult (18+)	Age Unknown	Age Breakdown as a Proportion of Total Children and Youth (under 18)			
	N	%	%	%	%	Total	<3	3-11	12-17
<b>Sexual Assault – Total</b>	<b>10,843</b>	<b>100</b>	<b>60</b>	<b>37</b>	<b>3</b>	<b>100</b>	<b>2</b>	<b>46</b>	<b>52</b>
Sexual Assault	9,013	100	58	39	3	100	2	45	54
Other Sexual Crimes <sup>2</sup>	1,482	100	81	18	1	100	2	56	41
Sexual Assault With A Weapon	233	100	31	68	1	100	-	15	85
Aggravated Sexual Assault	115	100	44	56	-	100	4	28	68
<b>Physical Assault – Total</b>	<b>89,999</b>	<b>100</b>	<b>19</b>	<b>74</b>	<b>7</b>	<b>100</b>	<b>2</b>	<b>22</b>	<b>77</b>
Common assault	65,767	100	20	74	6	100	2	22	77
Assault with weapon/Causing bodily harm	17,975	100	18	75	7	100	2	18	79
Assault Against Peace-Public Officer	3,383	100	-	67	33	-	-	-	-
Aggravated Assault	1,396	100	13	83	4	100	11	10	79
Unlawfully Causing Bodily Harm	420	100	20	79	1	100	10	10	80
Criminal Negligence Causing Bodily Harm	106	100	28	64	8	100	17	6	77
Other Assaults <sup>3</sup>	874	100	7	58	36	100	-	31	69
Discharge Firearm With Intent	78	100	17	82	1	100	-	31	69
<b>Assault – Total</b>	<b>100,842</b>	<b>100</b>	<b>23</b>	<b>70</b>	<b>7</b>	<b>100</b>	<b>2</b>	<b>28</b>	<b>70</b>

Figures may not add to 100% due to rounding.

- Nil or zero.

<sup>1</sup> Based on a sample of 179 police forces reporting to the UCRII in 1997.

<sup>2</sup> The UCRII Survey groups "other sexual crimes" including sexual interference, sexual touching, sexual exploitation, incest, etc., into one category. Most of these offences are directed at child victims of sexual crimes.

<sup>3</sup> The UCRII Survey groups other assault, including unlawfully causing bodily harm and criminal negligence causing bodily harm, etc., into one category.

Source: Revised Uniform Crime Reporting Survey (UCRII), Canadian Centre for Justice Statistics, Statistics Canada.

Table 4.2

**Child victims of assaults reported to police by accused-victim relationship, 1997<sup>1</sup>**

Relationship of accused to victim	N	Total Assault	Victim Sex					
			Sexual Assault			Physical Assault		
			Total	Female	Male	Total	Female	Male
<b>Total</b>	<b>N</b>	<b>23,289</b>	<b>6,518</b>	<b>5,009</b>	<b>1,509</b>	<b>16,771</b>	<b>6,180</b>	<b>10,591</b>
	%	100	100	100	100	100	100	100
Family	%	23	31	32	29	19	29	14
Acquaintance <sup>2</sup>	%	51	47	45	52	52	51	52
Stranger	%	21	15	16	12	23	15	28
Unknown	%	6	6	6	6	6	5	6

<sup>1</sup> Includes victims under the age of 18 years.

<sup>2</sup> Acquaintance includes any relationship in which the accused and the victim are familiar with each other (either on a long term or short-term basis), but are not related, or in a legal guardianship relationship.

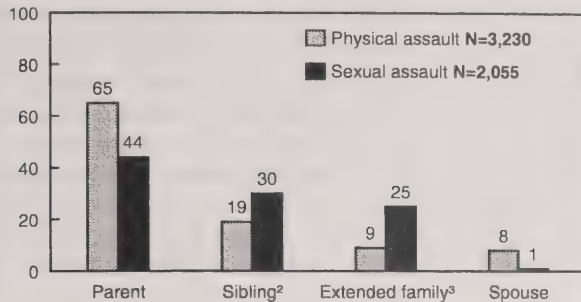
Source: Revised Uniform Crime Reporting Survey (UCRII), Canadian Centre for Justice Statistics, Statistics Canada.



Figure 4.1

**Parents most frequently accused in assaults against children and youth committed by family members, 1997<sup>1</sup>**

% of victims of physical or sexual assault



<sup>1</sup> Children and youth aged under 18 years.

<sup>2</sup> Sibling includes natural, step, half, foster and adoptive brothers and sisters.

<sup>3</sup> Extended family includes all those related to the victim by blood or marriage.

Source: Uniform Crime Reporting Survey (UCR II), Canadian Centre for Justice Statistics, Statistics Canada.

Table 4.3

**Child and youth victims of assault by family members, 1997<sup>1</sup>**

Relationship of accused to victim		Victim Sex					
		Sexual Assault			Physical Assault		
		Total	Female	Male	Total	Female	Male
<b>Total</b>	<b>N</b>	<b>2,051</b>	<b>1,620</b>	<b>431</b>	<b>3,225</b>	<b>1,779</b>	<b>1,446</b>
	%	100	100	100	100	100	100
Parent	%	44	45	43	65	60	71
Sibling <sup>2</sup>	%	30	30	31	19	20	18
Extended family <sup>3</sup>	%	25	24	26	9	8	9
Spouse	%	1	1	-	8	13	2

Figures may not add to 100% due to rounding.

- Nil or zero.

<sup>1</sup> Includes only cases where the sex of the victim is known.

<sup>2</sup> Sibling includes natural, step, half, foster or adopted siblings.

<sup>3</sup> Extended family includes others related by blood or marriage.

Source: Revised Uniform Crime Reporting Survey (UCR II), Canadian Centre for Justice Statistics, Statistics Canada.

**Fathers more likely accused of assaulting their children**

Regardless of the type of abuse or the child's age, fathers more often than mothers were the reported perpetrators of assaults against children and youth.<sup>11</sup> In incidents involving parents in 1997, fathers were accused in nearly all (97%) sexual assault incidents, and a large majority (71%) of physical assault incidents.

**Girls primary victims of family assaults**

In 1997, girls were victimized more frequently by family members than were boys. Girls represented four-fifths (79%) of victims in family-related sexual assault cases, but just over one-half (55%) of victims of physical assault.

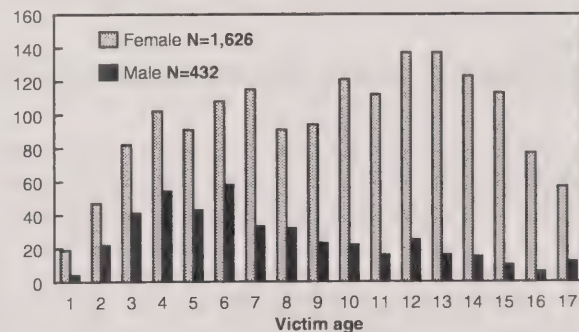
Differences also exist between the ages at which boys and girls are at greatest risk of reported abuse. For example, a higher proportion of girls are sexually assaulted at older ages than are boys. In 1997, the number of sexual assault incidents peaked between the ages of 12 and 14 for female victims, and between ages 3 and 6 for boys (Figure 4.2). Physical assaults increased with age for both boys and girls. The frequency of these assaults increased up to age 17 for girls and peaked at age 14 for boys (Figure 4.3). Much of the increase in physical assaults against girls as they get older is due to an increase in the number of spousal assaults, which accounted for a majority (40%) of assaults against girls aged 17.

Although girls under the age of 18 make up a slight majority of victims of physical assault perpetrated by family members, it is only in their teenage years that they actually outnumber boys. Boys under the age of 13 are more frequently physically assaulted than are girls of the same age.

Figure 4.2

**Victims of family-related sexual assault by age and sex of victims, 1997<sup>1</sup>**

Number of female or male victims

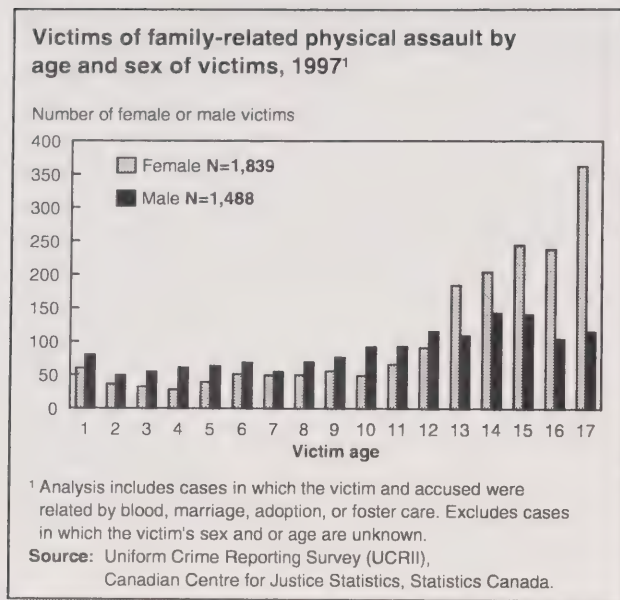


<sup>1</sup> Analysis includes cases in which the victim and accused were related by blood, marriage, adoption, or foster care. Excludes cases in which the victim's sex and/or age are unknown.

Source: Uniform Crime Reporting Survey (UCR II), Canadian Centre for Justice Statistics, Statistics Canada.

<sup>11</sup> Analysis of accused and victim characteristics in this section is based on only those incidents for which there is a single accused and a single victim. Thus, percentages are derived from a sample of incidents representing 47% of the UCR II sample size used in the remainder of the report.

Figure 4.3



### Proportion of family assaults declines with age

The pattern of assaults against children reflects their expanding sphere of relationships as they mature. Among very young victims, family members were responsible for the majority of assaults in 1997. Over two-thirds (67%) of physical assaults against children under 3 years of age were committed by family members, and parents were responsible for more than half of these (57%). Similarly,

children under 3 were more likely to be sexually assaulted by family members (58%), and many of these were perpetrated by parents (32%) (Table 4.4).

As children become older, enlarging their sphere of relationships and lessening their dependence on the family, the proportion of incidents committed by non-family members increases. For example, in 1997 youth aged 15 to 17 years were most likely to be physically assaulted by acquaintances (51%) followed by strangers, and then family members (16%). This was also the case for sexual assaults where children and youth were victimized most frequently by acquaintances and strangers (53% and 23% respectively), followed by family members (17%) (Table 4.4).

## 4.2 Children who witness family violence

Witnessing violence between parents is considered a form of child maltreatment. The Violence Against Women Survey estimated that nearly 4 in 10 women (39%) who experienced violence reported that their children witnessed the violence. At a minimum, this would mean that approximately 1,000,000 children in the Canadian population have witnessed violence against their mothers by their fathers. These children witnessed serious violence in a large number of cases. For example, in 52% of the violent relationships in which children witnessed violence the woman feared for her life, and in 61% the woman was injured by her partner.

Table 4.4

### Victim age group and type of assault by accused victim-relationship, 1997<sup>1</sup>

Relationship of accused to victim		Age of Victim													
		Sexual Assault							Physical Assault						
		Total	<3	3-5	6-8	9-11	12-14	15-17	Total	<3	3-5	6-8	9-11	12-14	15-17
<b>Total</b>	<b>N</b>	<b>6,524</b>	<b>160</b>	<b>913</b>	<b>1,037</b>	<b>1,041</b>	<b>1,806</b>	<b>1,567</b>	<b>16,779</b>	<b>339</b>	<b>490</b>	<b>937</b>	<b>2,125</b>	<b>5,519</b>	<b>7,369</b>
Total	%	100	100	100	100	100	100	100	100	100	100	100	100	100	100
Acquaintance	%	47	29	40	38	42	54	53	52	19	27	40	53	59	51
Stranger	%	15	4	7	12	15	16	23	23	6	11	16	21	23	27
Unknown	%	6	9	7	8	5	6	6	6	8	6	7	6	5	6
<b>Family Total</b>	<b>%</b>	<b>31</b>	<b>58</b>	<b>45</b>	<b>42</b>	<b>37</b>	<b>25</b>	<b>17</b>	<b>19</b>	<b>67</b>	<b>57</b>	<b>37</b>	<b>20</b>	<b>14</b>	<b>16</b>
Spouse	%	-	-	-	-	-	-	1	2	-	-	-	-	-	3
Parent	%	14	32	22	17	14	12	7	13	57	49	28	15	10	8
Sibling <sup>2</sup>	%	9	15	12	14	14	7	5	4	4	4	4	4	3	4
Extended Family <sup>3</sup>	%	8	11	11	11	10	6	4	2	6	3	5	2	1	1

Figures may not add to 100% due to rounding.

- Nil or zero.

<sup>1</sup> Includes only cases where the age of the victim is known.

<sup>2</sup> Sibling includes natural, step, half, foster or adopted siblings.

<sup>3</sup> Extended family includes others related by blood or marriage, e.g., grandparents, aunts, uncles, cousins and in-laws.

Source: Revised Uniform Crime Reporting Survey (UCR II), Canadian Centre for Justice Statistics, Statistics Canada.



### Child maltreatment reported to hospitals in Canada

Hospitalization records for injuries to children resulting from assaults or other violence provide an additional source of information about child maltreatment and intentional injuries caused by violence. These data provide a national estimate of the number of children who are admitted to hospitals (staying at least one night) and have sustained an injury as a result of one of the forms of violence listed in Table 4.5. These data are limited to the extent that they include only those injuries that come to the attention of a physician and are acknowledged as having resulted from violence, and exclude cases where the child is seen on an outpatient basis.

Information from hospitalization records indicates that the youngest children are at highest risk of child battering and other maltreatment, while older children are most frequently injured as a result of fights. In 1996-97, 42 in 100,000 children under the age of 1 year in Canada were reported by doctors in hospitals to have suffered injuries as a result of maltreatment. This rate dropped to 1 in 100,000 teenagers aged 15 to 19 years.

Table 4.5

#### Childhood hospitalizations for assault and other maltreatment, Canada, 1996-97<sup>1</sup>

(Annual number and annual rate per 100,000)

Cause of injury <sup>2</sup>	Victim age																	
	Total			<1			1-4			5-9			10-14			15-19		
	N	%	Rate	N	%	Rate	N	%	Rate	N	%	Rate	N	%	Rate	N	%	Rate
<b>Total</b>	<b>1,861</b>	<b>100</b>	<b>23</b>	<b>172</b>	<b>100</b>	<b>45</b>	<b>153</b>	<b>100</b>	<b>10</b>	<b>80</b>	<b>100</b>	<b>4</b>	<b>242</b>	<b>100</b>	<b>12</b>	<b>1,245</b>	<b>100</b>	<b>60</b>
Fight, brawl, rape	887	48	11	1	1	--	5	3	--	25	31	1	154	64	8	702	56	35
Poisoning, strangulation <sup>3</sup>	15	1	--	1	1	--	5	3	--	2	3	--	2	1	--	5	--	--
Firearm	7	--	--	--	--	--	1	1	--	--	--	--	1	--	--	5	--	--
Cutting, piercing instrument	294	16	4	1	1	--	2	1	--	4	5	--	17	7	1	270	22	13
Child battering and other maltreatment	344	18	4	160	93	42	116	76	7	31	39	2	22	9	1	15	1	1
Other	314	17	4	10	6	2	24	16	2	18	23	1	46	18	2	248	20	11

Figures may not add to 100% due to rounding.

-- too small to be expressed.

<sup>1</sup> Period April 1, 1996 to March 31, 1997.

<sup>2</sup> International Classification of Diseases Code 9 (ICD-9).

<sup>3</sup> Includes corrosive and caustic substances, poisoning, hanging, strangulation and submersion.

Source: Hospital Morbidity Survey, Health Statistics Division, Statistics Canada.

Witnessing violence has also been demonstrated to be a significant problem in other countries. For instance, in the United States it is estimated that at least 3.3 million children between the ages of 3 and 17 years witnessed spousal violence in 1990 (Jaffe et al., 1990). Similarly, the 1996 British Crime Survey showed that half of those adult victims who had suffered violence from a partner or ex-partner in the previous year were living with children under 16. When asked whether the children had seen or heard what had happened during the most recent violent incident, 29% said the children had been aware of what was going on. Children were much more often witnesses to violence against women who had suffered repeated violence (45%).

Current estimates of the problem in Canada and elsewhere are likely an undercounting of the true extent of the violence witnessed by children. Many parents assume that children have been protected from the violence, but recent literature

suggests evidence to the contrary that between 80 and 90 percent of children in homes where there is spousal violence are aware of and affected by the violence (Educon, 1998).

#### The impact on children of witnessing violence

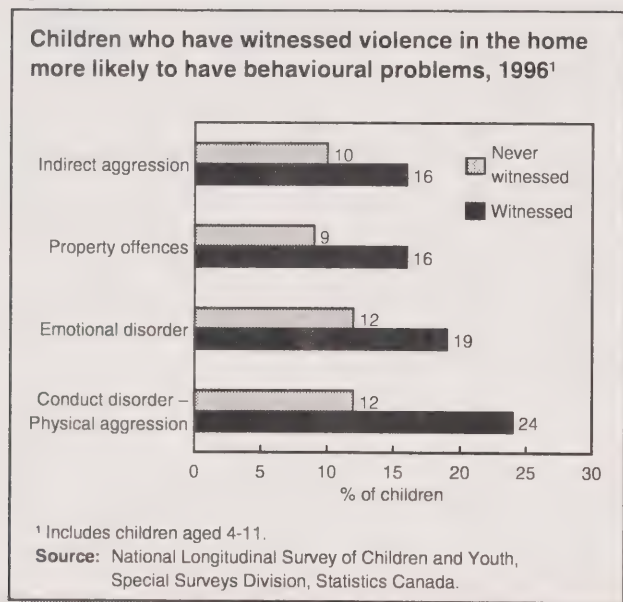
Research has demonstrated that child behaviours associated with witnessing family violence include aggressive behaviour, emotional and internalizing problems, and effects on social and academic development (Jaffe and Geffner, 1998).

The consequences of being exposed to family violence are evident in studies of adult perpetrators of violence. A Correctional Service Canada (CSC) study showed that in a sample of federal inmates who had some history of family violence and were enrolled in family violence programs, over half (56%) indicated that they had witnessed some

form of violence as children. These included situations in which a father physically abused a mother (40%), a father sexually abused a mother (5%), a father emotionally abused a mother (50%), or a family member abused a sibling (30%) (Blanchette *et al.*, 1998).

The consequences for children who witness violence can also be examined through Statistics Canada's National Longitudinal Survey of Children and Youth (NLSCY). Parents of children aged 4 to 11 years are asked how often their child sees adults or teenagers in the home physically fighting, hitting or otherwise trying to hurt others. In 1996, an estimated 260,000 children in Canada, or 8% of those aged 4 to 11 years, were reported by a parent to have witnessed at least some violence in the home.

Figure 4.4



This analysis compares children who were reported to have witnessed violence often, sometimes and seldom to those who have never witnessed violence. Children who were reported to have witnessed violence had higher rates of difficulties than children who never witnessed violence (Figure 4.4). They were more likely to exhibit behaviours such as conduct disorder-physical aggression (e.g., fighting, bullying, or threatening); emotional disorder (e.g., feelings of anxiety, depression or fear); indirect aggression (e.g., non-physical forms of aggression such as rallying friends against someone); and property offences (e.g., destroying property, vandalizing or stealing).

The NLSCY assesses different types of behavioral problems in children: conduct disorder-physical aggression, emotional disorder, indirect aggression, and property offences.

Each type of behavioral problem is assessed through a series of questions concerning children aged 4 to 11. Responses are combined into a scale for each child and each problem type. A child is considered to have a behavior problem if he or she is scored in the highest 10% of the scale.

Estimates presented in this section are based on the second cycle of data collection completed in 1996-97.



### Kid's Help Phone

The Kid's Help Phone is a national, bilingual, confidential help-line for children and adolescents. It is funded by the Canadian Children's Foundation, and provides services 24 hours a day, 7 days a week. Counsellors respond and make referrals to other agencies. Approximately 800 calls are answered each day. The age of callers ranges from 4 to 19 years.

In 1998, the Kid's Help Phone answered approximately 288,000 calls originating from almost 3,000 rural and urban communities across Canada. Fourteen percent of these (40,320) were related to abuse. Among provinces, Alberta had the highest proportion of calls related to abuse (18%), followed by Prince Edward Island (17%) (Table 4.6)

Table 4.6

#### Type of calls received by Kid's Help Phone, 1998

Province/Territory	Relation-ship	Abuse <sup>1</sup>	Health/Medical	Sexuality	Substance Abuse	Suicide	Other <sup>2</sup>
				%			
Canada	37	14	12	11	7	4	15
Nfld.	37	15	12	14	8	3	10
P.E.I.	41	17	12	11	5	3	12
N.S.	35	14	14	10	6	5	15
N.B.	38	12	11	12	10	6	12
Ont.	36	14	13	11	5	4	16
Que.	40	11	8	13	9	4	14
Man.	35	14	14	11	8	4	13
Sask.	35	16	12	11	8	4	13
Alta.	33	18	12	9	7	4	16
B.C.	38	16	12	8	5	4	18
Y.T.	40	14	6	2	13	7	18
N.W.T.	32	15	8	3	17	8	16

<sup>1</sup> Abuse includes physical, sexual, verbal and emotional abuse, and is not limited to abuse by family members.

<sup>2</sup> Other includes calls about feelings, practical issues, self-concept, social adjustment and other issues.

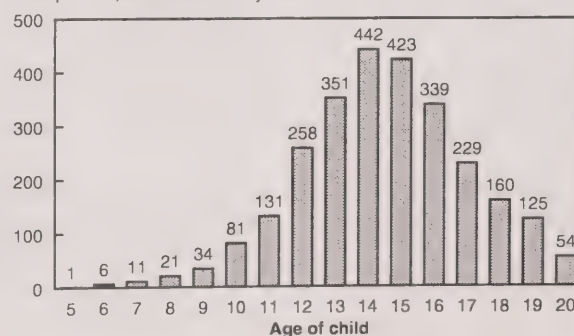
Source: Kid's Help Phone.

Adolescents aged 14 years had the highest rate of calls to the Kid's Help Phone regarding abuse or violence: a rate of 442 calls per 100,000 children aged 14 in Canada (Figure 4.5). The distribution of rates may reflect the likelihood of children to use the Help Phone rather than the actual rate of abuse.

Figure 4.5

#### Rate of calls about abuse or violence to the Kid's Help Phone, Canada, 1998<sup>1</sup>

Rate per 100,000 children and youth



<sup>1</sup> Rates based on July 1 population estimates for 1998.

Source: Kid's Help Phone.

The toll free number for the Kid's Help Phone is 1-800-668-6868. They can also be reached online at <http://kidshelp.sympatico.ca>.

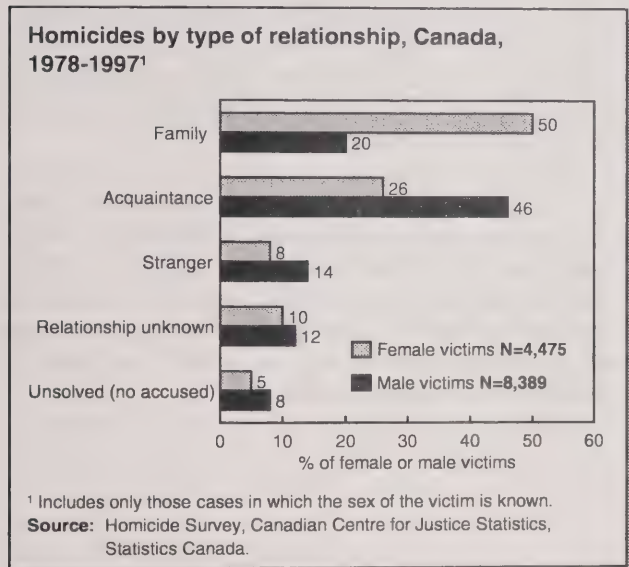




## 5.0 FAMILY HOMICIDE<sup>12</sup>

From 1978 to 1997 there were 12,871 victims of homicide in Canada. Family members were responsible for nearly one-third (31%) of these, another 39% were committed by acquaintances, and 12% by strangers. Throughout the period, women and girls were most likely to be killed by a family member (50%), whereas, men and boys were most likely to be killed by acquaintances (46%) (Figure 5.1).

Figure 5.1



Given the relatively high rates of spousal violence against women, it is not unexpected that husbands represent the vast majority of family members who kill female victims (67%). Parents accounted for the next largest proportion of suspects in family homicides involving female victims (18%) (Table 5.1).

Male victims of family homicide were most likely to have been killed by parents (28%), followed by wives (including current or estranged partners) (26%). Other family members, including extended family members such as grandparents, aunts, uncles, cousins, and in-laws, accounted for 20% of the perpetrators (Table 5.1).

### 5.1 Spousal homicide

Spousal homicide accounts for a substantial proportion of all homicides in Canada. From 1978 to 1997, spouses represented 18% of all victims of solved homicides and

Table 5.1

**Family homicides by accused victim relationship and gender of the victim, 1978-1997<sup>1</sup>**

Relationship of accused to victim	Total victim		Female victim		Male victim	
	N	%	N	%	N	%
<b>Total family homicides</b>	<b>3,938</b>	<b>100</b>	<b>2,254</b>	<b>100</b>	<b>1,684</b>	<b>100</b>
<b>Husband</b>	<b>1,485</b>	<b>37</b>	<b>1,485</b>	<b>67</b>	...	...
Married	833	21	833	37	...	...
Common-law	516	13	516	23	...	...
Separated	124	3	124	6	...	...
Divorced	12	-	12	1	...	...
<b>Wife</b>	<b>442</b>	<b>11</b>	...	...	<b>442</b>	<b>26</b>
Married	188	5	...	...	188	11
Common-law	242	6	...	...	242	14
Separated	12	-	...	...	12	1
<b>Parent<sup>2</sup></b>	<b>877</b>	<b>22</b>	<b>401</b>	<b>18</b>	<b>476</b>	<b>28</b>
Father	523	13	230	10	293	17
Mother	354	9	171	8	183	11
<b>Child</b>	<b>395</b>	<b>10</b>	<b>173</b>	<b>8</b>	<b>222</b>	<b>13</b>
Son/step	366	9	157	7	209	12
Daughter/step	29	1	16	1	13	1
<b>Sibling</b>	<b>262</b>	<b>7</b>	<b>55</b>	<b>2</b>	<b>207</b>	<b>12</b>
Brother	235	6	44	2	191	11
Sister	27	1	11	-	16	1
<b>Other family<sup>3</sup></b>	<b>477</b>	<b>12</b>	<b>140</b>	<b>6</b>	<b>337</b>	<b>20</b>

- Nil or zero.

... Figures not appropriate or not applicable.

<sup>1</sup> Excludes cases in which the sex of the victim is unknown.

<sup>2</sup> Parent includes natural, step, foster and adoptive parents.

<sup>3</sup> Other family includes all others related to the victim through blood, marriage, foster care or adoption.

**Source:** Homicide Survey, Canadian Centre for Justice Statistics, Statistics Canada.

48% of family-related incidents.<sup>13</sup> Over the two decades, three times more wives than husbands were killed by their spouses (1,485 women and 442 men).

Between 1978 and 1997, the annual rate of spousal homicide was on average 11 wives and 3 husbands per million couples<sup>14</sup> in Canada. Despite yearly fluctuations, the rate has gradually declined over the period. This was

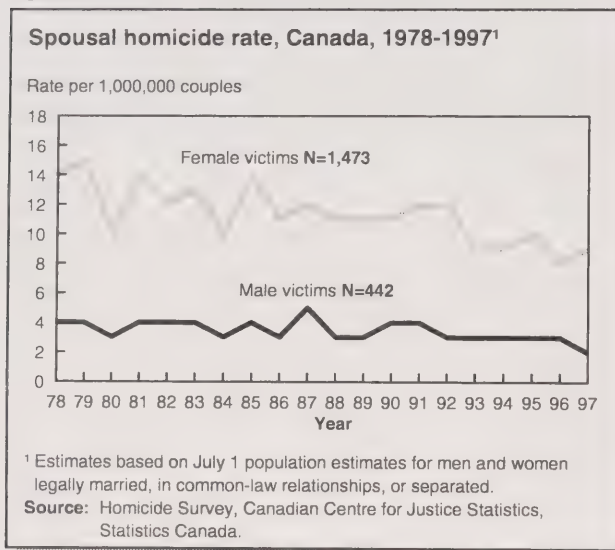
<sup>12</sup> The homicide data in this section are based on the Homicide Survey, which has full national coverage. As a result, it is possible to calculate rates of homicide.

<sup>13</sup> Analysis is based on adult victims which includes all victims age 18 years and older. Spouses include people in legal marriages, those separated or divorced from legal marriages, and those in common-law relationships.

<sup>14</sup> Includes married, common-law or separated couples.

particularly the case for wives for whom the rate decreased by 36% from 14 per million couples in 1978 to 9 in 1997 (Figure 5.2). For husbands the rate has dropped from a high of 5 per million couples in 1987 to 2 per million in 1997.

Figure 5.2



The rates of spousal homicide for male and female victims vary across the country. The lowest rates of spousal homicide occur in Newfoundland and Prince Edward Island, and the highest rates are in the territories followed by the western provinces (Table 5.2). This pattern is

paralleled in the total homicide rate for each province and territory (Fedorowycz, 1998).

Over the 20-year period, 3.3 wives (including legally married, common-law and separated relationships) were killed for each husband killed in Canada (Table 5.2). The ratio of wife to husband victims was highest in the provinces of New Brunswick (6.7 wives to 1 husband) and Quebec (5.4 wives to 1 husband), and this tendency did not vary over the 20 year period (Wilson and Daly, 1994). The lowest ratios were found in the Northwest Territories, Saskatchewan and Nova Scotia.

### Age as a risk factor

Young wives are at the greatest risk of spousal homicide (Figure 5.3). In the 1990s, married, separated or common-law women under the age of 25 years were killed at a rate of 29 per million (Figure 5.3). Young husbands were next most likely to be killed, but the rate (13) was less than half that of young wives. The rate of spousal homicide declined with age for both men and women.

The high rate of homicide for young wives likely reflects their greater exposure to violence within marital relationships. Data from the VAWS showed that 12% of Canadian women aged 18 to 24 reported at least one incident of violence by a marital partner in a one-year period, compared with the national average of 3% of all married (or cohabiting) women.

Table 5.2  
Rates of spousal homicide by province and territory, 1978-1997

Province/Territory	Number of spousal homicide victims		Number of wife victims per one husband victim	Spousal homicide rate per million couples <sup>1</sup>	
	Wives	Husbands		Wives	Husband
CANADA	1,472	442	3.3	11.5	3.4
Nfld.	9	4	2.3	3.4	1.5
P.E.I.	4	-	-	6.2	-
N.S.	45	22	2.0	10.5	5.1
N.B.	40	6	6.7	11.6	1.8
Que.	321	60	5.4	10.0	1.9
Ont.	523	125	4.2	10.9	2.6
Man.	89	35	2.5	17.2	6.8
Sask.	64	36	1.8	13.5	7.5
Alta.	165	67	2.5	14.2	5.8
B.C.	190	75	2.5	12.2	4.8
Y.T.	6	2	3.0	51.4	16.6
N.W.T.	16	10	1.6	77.7	46.2

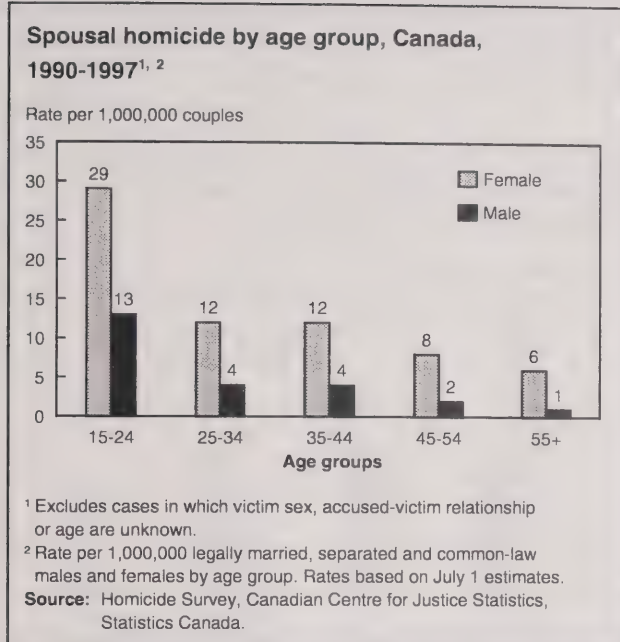
- Nil or zero.

<sup>1</sup> Estimates based on revised July 1 estimates of legally married, common-law and separated men and women over 15 years, 1978 to 1997.

Source: Homicide Survey, Canadian Centre for Justice Statistics, Statistics Canada.



Figure 5.3



### Shooting and stabbing the most common causes of death

Firearms were the most frequent means of spousal homicide, accounting for more than one in three cases (37%) from 1978 to 1997 (Table 5.3).<sup>15</sup> This was primarily due to the fact that husbands, who made up the majority of accused, tended to use firearms (40%), followed by knives (25%). In contrast, a majority (60%) of cases in which women killed their husbands involved knives or other sharp instruments. Firearms were second at 25%. These differences between men and women in their relative use of weapons has been consistent in Canada over time, and are paralleled in the United States (Wilson and Daly, 1994).

As was the case with police-reported assaults, homicide data show that men were more likely than women to use physical force. Thus, beatings and strangulation were more frequently the means of death used by husbands (31%) than by wives (10%).

### Domestic violence a factor in spousal homicides

There was a history of reported domestic violence between victims and perpetrators in over one-half (56%) of spousal homicides from 1991 to 1997. A slightly higher proportion of cases in which husbands were the victims had a reported history of domestic violence (62%) than did cases in which wives were the victims (55%). Although it cannot be determined who was the initiator in the previous cases of the domestic violence, in some cases the accused may

Table 5.3

### Cause of death by sex of victim in spousal homicides, Canada, 1978-1997<sup>1</sup>

Cause of death	Total victims		Wife accused		Husband accused	
	N	%	N	%	N	%
<b>Total</b>	<b>1,918</b>	<b>100</b>	<b>442</b>	<b>100</b>	<b>1,476</b>	<b>100</b>
Shooting	703	37	110	25	593	40
Stabbing	627	33	264	60	363	25
Beating	298	16	33	7	265	18
Strangulation <sup>2</sup>	207	11	13	3	194	13
Other <sup>3</sup>	83	4	22	5	61	4

<sup>1</sup> Includes only those cases in which victim sex and cause of death are known.

<sup>2</sup> Strangulation includes all deaths caused by asphyxiation, e.g., suffocation and drowning.

<sup>3</sup> Other includes poisoning, smoke inhalation and burns, motor vehicle, causing a heart attack, exposure, etc.

**Source:** Homicide Survey, Canadian Centre for Justice Statistics, Statistics Canada.

have been the battered partner. The battered women's defence is based on case law evidence that severely battered women may retaliate with lethal violence (Noonan, 1993).

From 1978 to 1997, there were reports of alcohol or drug abuse in over one-third (38%) of spousal homicide cases. Alcohol had been consumed by an accused wife in one-half (55%) of cases and by an accused husband in just over one-quarter (26%) of cases. Drugs were reported to be used less frequently (2% for both male and female accused) (Table 5.4).

A link between domestic violence and alcohol was also revealed in the VAWS where it was found that women married to or living with heavy drinkers were five times more likely to be assaulted by their partners than were women who lived with non-drinkers. Half of all batterers were usually drinking at the time of the assault. In addition, women who suffered very serious abuse were almost twice as likely to state that the man was drinking at the time than were women suffering less serious injuries (Johnson, 1996).

## 5.2 Homicides against older adults

From 1978 to 1997, the average annual rate of homicides against adults aged 65 years and over was 15 per million, fluctuating from a high of 22 in 1980 to a low of 9 in 1993 (Figure 5.4). The 1997 rate was 10 per million population aged 65 and over.

<sup>15</sup> In 1997, the most common types of firearms used in spousal homicides were rifles and shotguns (63%) followed by handguns (30%) and sawed-off rifles and shotguns (7%).

Table 5.4

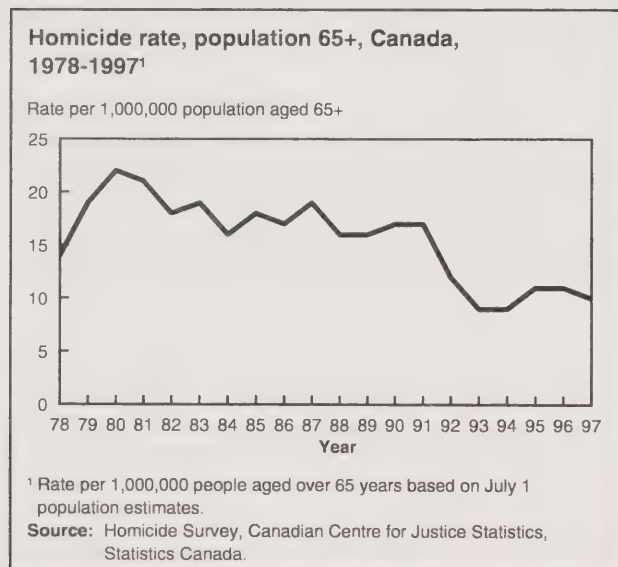
**Alcohol or drugs consumed by the accused in spousal homicides, Canada, 1978-1997<sup>1</sup>**

Alcohol or substance consumption	Accused					
	Total		Husband		Wife	
	N	%	N	%	N	%
<b>Total</b>	<b>1,749</b>	<b>100</b>	<b>1,348</b>	<b>100</b>	<b>401</b>	<b>100</b>
No alcohol or drugs consumed	962	55	813	60	149	37
Alcohol	570	33	350	26	220	55
Drugs only	31	2	25	2	6	2
Both alcohol and drugs	58	3	46	3	12	3
Unknown	128	7	114	8	14	3

<sup>1</sup> Analysis based on only those homicides for which there was a single accused and a single victim. Thus the percentages are derived from a sample of incidents representing 91% of the total number of spousal homicides from 1978-1997.

Source: Homicide Survey, Canadian Centre for Justice Statistics, Statistics Canada.

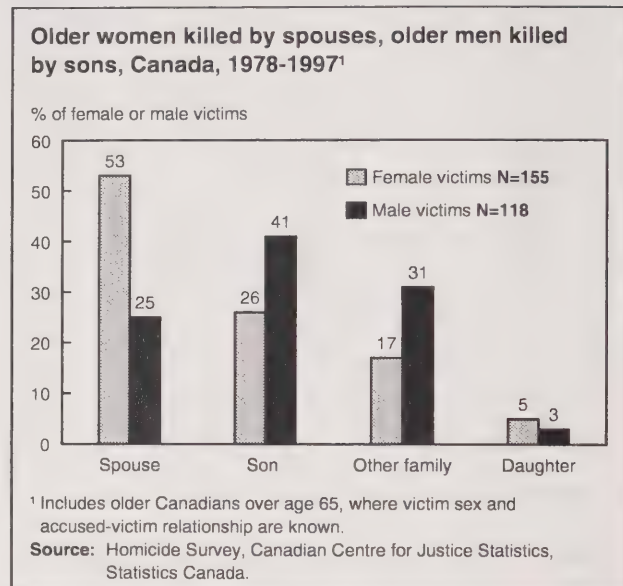
Figure 5.4



The relationship of older homicide victims to the accused killer is different for female and male victims. Over one-half (53%) of all family homicides against women over 65 were committed by spouses (including ex-spouses) (Figure 5.5). In fact, spousal homicides accounted for nearly one-third (30%) of all homicides against older women (including those committed by acquaintances and strangers). The high proportion of spousal homicides supports the suggestion that abuse of older women is often a continuation of wife assault. In contrast, the risk of homicide against older men was far greater outside of the family than within. Older men were killed by acquaintances

and strangers in three-quarters (74%) of all homicides. Of those homicides that were family-related, older men were more likely to be killed by sons (41%), followed by other family members (31%) (Figure 5.5).

Figure 5.5



### 5.3 Homicides against children and youth<sup>16</sup>

In 1997, there were 96 homicides against children and youth under the age of 18. This represented 17% of all homicides in Canada. The homicide rate for children and youth under 18 has remained relatively constant, fluctuating between 1 and 1.5 homicides per 100,000 population under 18 years between 1978 and 1997. In contrast, the rate for adults aged 18 years and older has gradually declined from 3.3 to 2.1 homicides per 100,000 adult population, a decrease of 35% (Figure 5.6).

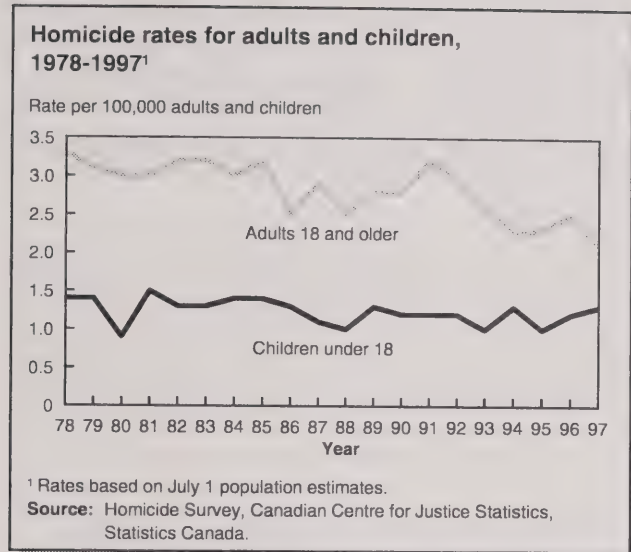
In 1997, family members were responsible for a majority (76% or a total of 67) of all homicides against victims under 18 years of age (Table 5.5). This is an increase over the previous 10 years when an average of 59% of victims under 18 were killed each year by a family member.

As was the case in police-reported incidents of assaults against children, parents were responsible for a majority

<sup>16</sup> The data source for these statistics is the Homicide Survey, which provides police-reported data on the characteristics of all homicide incidents, victims and accused persons since 1961. When a homicide becomes known to the police a survey questionnaire is completed. The count for a particular year represents all homicides reported in that year, regardless of when the death actually occurred.



Figure 5.6



(93%) of all child homicides committed by family members in 1997, and again, fathers were responsible for a majority (60%) of these incidents.

There has been an increase in the number of mothers and fathers accused of killing their children. For mothers, this figure grew from 15 homicides in 1988, to 25 in 1997 (Figure 5.7).<sup>17</sup> Most of these children were very young.

Table 5.5  
**Solved homicides of victims under age 18 by accused-victim relationship, 1997<sup>1</sup>**

Relationship of accused to victim	1997		Average 1987-1996	
	N	%	N	%
Family relationship				
Father	37	42	22	29
Mother	25	28	16	21
Other family <sup>2</sup>	3	3	4	5
Sibling	1	1	2	3
Husband	1	1	-	0
<b>Family - Totals</b>	<b>67</b>	<b>76</b>	<b>435</b>	<b>59</b>
Non-family relationship				
Acquaintance <sup>3</sup>	19	22	21	28
Stranger	2	2	6	8
Unknown	-	0	4	5
<b>Solved homicides -Total</b>	<b>88</b>	<b>100</b>	<b>743</b>	<b>100</b>

Totals do not add to 100% due to rounding.

- Nil or zero.

<sup>1</sup> Includes only homicide incidents in which there are known suspects. If there was more than one suspect, only the closest relationship to the victim was recorded.

<sup>2</sup> Includes all other family members related through blood, marriage (including common-law) or adoption.

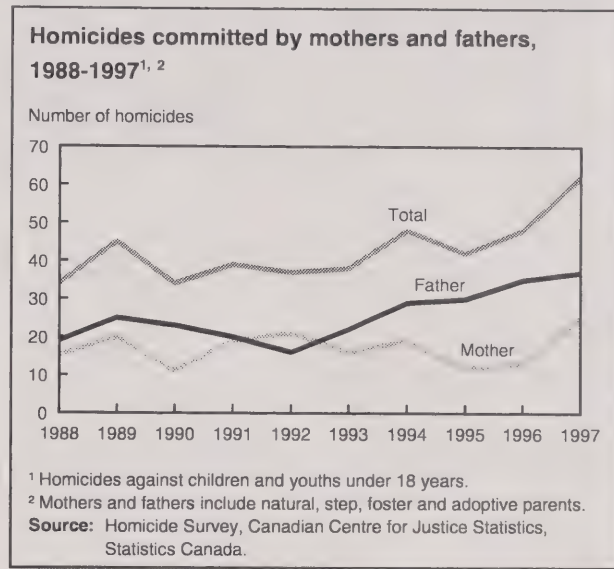
<sup>3</sup> Includes intimate relationships such as boyfriend/girlfriend as well as business associates, criminal associates and casual acquaintances.

**Source:** Homicide Survey, Canadian Centre for Justice Statistics, Statistics Canada.

Over one-half (56%) were under the age of 3, and a large majority (84%) were under the age of 6 years.

The number of accused fathers increased from 19 in 1988, to 37 in 1997. Nearly half (46%) of these children were under the age of 6. The number has been increasing for fathers since 1992 whereas for mothers, the number dropped between 1992 and 1995 before increasing.

Figure 5.7

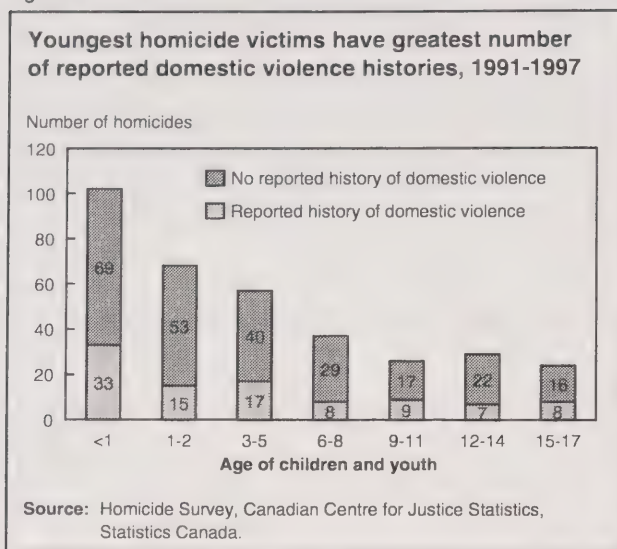


A known history of domestic violence is not as prevalent in cases of child homicides as was the case in spousal homicides. Information available from 1991 to 1997 indicates that a history of domestic violence between the victim and the accused was reported to be a factor in 28% of family-related homicides against children and youth: 31% of male victims and 26% of female victims. During this period, very young victims of homicide had the highest incidence of previous exposure to domestic violence. From 1991 to 1997, 33 of the 102 victims of family homicide under the age of 1 were from families with a reported history of domestic violence (Figure 5.8).

In the 1990s, infants under the age of 1 had the highest annual rate of homicide among children and youth under 18 years: 45 per one million infants (Figure 5.9). Family members committed a majority (93%) of these homicides: 45% by a mother and 40% by a father.

<sup>17</sup> Note that rates per 100,000 mothers and fathers cannot be calculated because population data for parents of children under 18 years are not available.

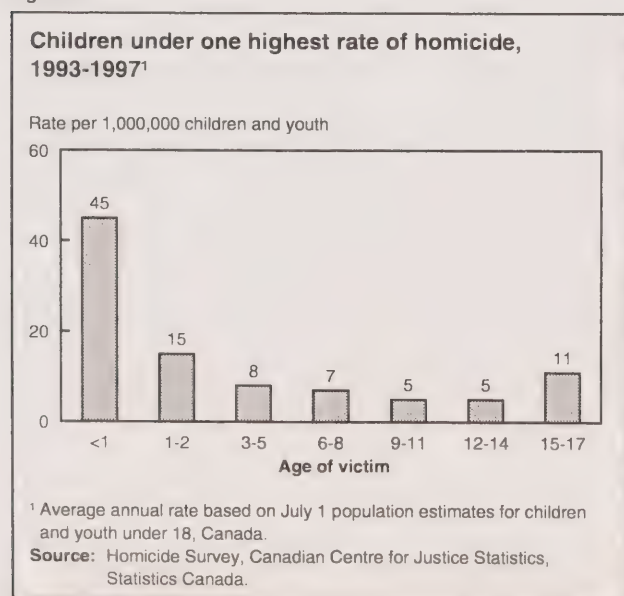
Figure 5.8



### Shaken Baby Syndrome

Shaken Baby Syndrome (SBS) is a cause of infant death resulting from an abrupt or repeated motion that causes the infant's head to roll back and forth. In some cases, less violent but repeated shaking may cause deafness, blindness, seizures, paralysis or developmental delay. SBS occurs most often at 2 to 6 months of age but babies up to 2 years are at risk. In 1997, there were 4 reported infant homicides for which the cause of death was Shaken Baby Syndrome.

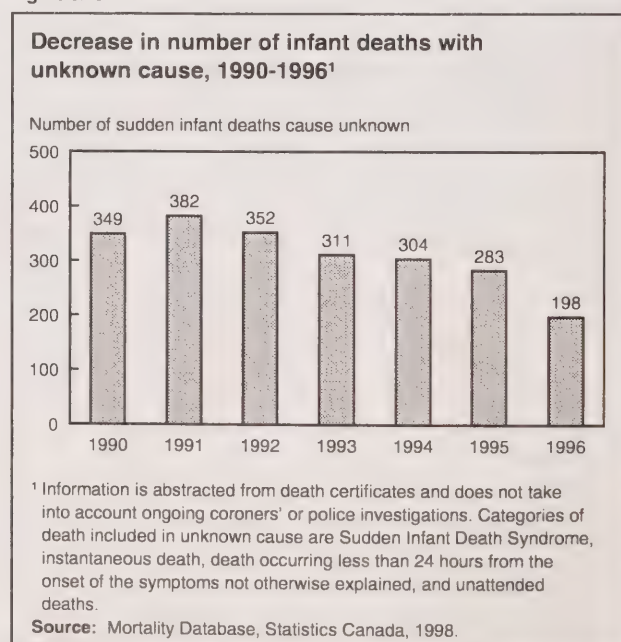
Figure 5.9



Infanticide is a provision which allows for diminished responsibility of a mother killing her newly-born child, "if at the time of the act...she is not fully recovered from the effects of giving birth... and her mind is disturbed" (Section 233, *Criminal Code of Canada*). In 1997, four out of five mothers accused of killing infants under 1, were charged with infanticide. Over 80% of these women were under the age of 24.

Despite these relatively high rates, infant homicide may be underreported since claims of accidental childhood deaths such as falls or sudden or unexplained deaths could actually be due to intentional injury or neglect. A review in Ontario of all deaths in children under the age of 2 suggested that as many as 10% of deaths prior to 1995 that were attributed to causes such as Sudden Infant Death Syndrome (SIDS) may have been due to homicide (Trocmé and Brison 1997). In 1995, most provinces passed legislation requiring a coroner's inquest into all deaths of children under 2 years of age. This may eventually result in increased rates of infant homicides. Recent statistics based on death certificates in Canada show a decrease in the number of infant deaths in which the cause of death was unknown. From 1990 to 1996, the number of unexplained infant deaths dropped 43% (Figure 5.10). This may be the result of an increased awareness of the issues surrounding sudden or unexplained deaths and a higher level of scrutiny by official agencies.

Figure 5.10





## 6.0 RESPONSES TO FAMILY VIOLENCE

Changes in legislation, policies and programs on the part of both federal and provincial/territorial governments have occurred as part of a response to the problem of family violence. This section highlights a few of the responses by provincial courts, the federal correctional system, the network of transition homes and shelters across the country, as well as recent changes in provincial/territorial legislation.

### 6.1 Family violence courts

In 1990, Winnipeg was the first Canadian city to hear cases of spousal, child and senior abuse in a specialized family violence court. The court was part of a response to the policy of zero tolerance of family violence and violence against women in Manitoba (Pedlar, 1990). The goals of the court were to process cases more quickly, aiming for a three-month average processing time from first appearance to disposition; to increase victim and witness information in order to reduce case attrition; and to provide more consistent and appropriate sentencing to better protect the victim, to mandate treatment of the offender, and to increase monitoring of offenders. The Winnipeg Family Violence Court handles first appearances, remands, guilty pleas and trials.

In early 1997, two domestic violence court models were established in Ontario to combat domestic abuse. The Toronto and North York models are designed to prosecute and deal with domestic assault, to intervene early in domestic abuse situations, and to ensure that those who abuse their partners are held accountable. A key element of both models is the help provided to victims who are immediately referred by police to victims' service agencies. The Toronto model emphasizes vigorous prosecution. The police are required to lay charges in all domestic abuse cases when there are reasonable and probable grounds to believe that a criminal offence has occurred. Under the traditional prosecution model, the ability to proceed with the prosecution largely depends on the victim's testimony at trial. For a variety of reasons, including fear or intimidation, domestic assault victims often recant their original statement to the police or refuse to testify altogether. The Toronto model focuses on enhanced evidence to reduce the incidence of victim who recant, and to improve the ability to effectively prosecute the case if the victim does recant.

The North York model is designed to break the cycle of abuse by focusing on early referral of eligible offenders to intensive batterers' counselling programs. Under this model, prosecutors screen domestic violence cases for eligibility for the program. To be eligible, the abuser must have no previous related record and have caused no significant injuries to the victim or used a weapon. The accused must be willing to take part in the program and the victim must agree to the accused's participation.

Throughout 1997 and 1998, the Ontario initiative was expanded into six additional sites on a pilot basis. Three sites (Hamilton, London and Ottawa) are following the Toronto model, and three sites (Brampton, North Bay and Whitby), the North York model. While the Toronto and North York models are situated in larger urban centres, five courts in smaller centres with low case volume have adopted a small-office model on a pilot basis. This model focuses on ensuring that the case is disposed of within 45 days of the initial arrest.

### 6.2 Shelters and transition homes in Canada<sup>18</sup>

During the last thirty years, community organizations and various levels of government have worked to provide assistance to victims. One such initiative has been the establishment of a system of family violence shelters across the country.

Family violence shelters, or residential services, are available in every province and territory. Their purpose is to help abused women and their children when seeking refuge from the violence taking place in their homes. These shelters also offer a number of services to residents, ex-residents and non-residents. The types of services vary from shelter to shelter, but often include information services, advocacy, public education or prevention, short-term counselling, parenting skills, housing referrals and crisis telephone lines. The shelters also have established liaisons with other agencies within the community for help in matters relating to job training or employment search, legal services, financial assistance

<sup>18</sup> This section has been extracted from Cathy Trainor. 1999. *Canada's shelters for abused women*. Juristat. Vol. 19 No. 7. Canadian Centre for Justice Statistics. Ottawa: Minister of Industry.

or welfare, medical services, individual short-term and long-term counselling.

According to the 1997-1998 Transition Home Survey, there were 470 shelters for abused women across Canada in a snapshot taken on April 20, 1998.<sup>19</sup> On that day, the 422 shelters that provided data indicated that they had 6,115 residents—2,918 women who were accompanied by 3,197 dependent children. In addition, 407 shelters reported receiving 3,590 requests for various services from non-residents and ex-residents. During the entire year, 47,962 women and 42,830 children were admitted to the 413 facilities that responded to the survey question.<sup>20</sup>

While the primary focus of family violence shelters is to provide assistance to abused women, they also offer services to other women in need of support. On April 20, 1998, 2,260 or 77% of women who were residing in shelters were there to escape abuse. Most of the remaining women were there because of housing problems. Of those women escaping abuse, 78% were fleeing psychological abuse, 67% physical assault, 48% threats, 42% financial abuse, 38% harassment and 26% sexual assault (Figure 6.1). The majority (56%) of women escaping abusive situations were admitted with children and many of these women were protecting their children from abuse. Most abused women in shelters (85%) were seeking refuge from someone with whom they had an intimate relationship—a spouse, partner, or boyfriend/ex-boyfriend.

Although the number of women and children seeking refuge in shelters has been increasing, shelters provide

services to a small proportion of women who are victims escaping abuse. According to the Violence Against Women Survey (VAWS), 29% of women who had ever been married or lived in a common-law relationship with a male partner had been a victim of physical or sexual violence. Only 8%, or an estimated 217,000, of these women had contacted a transition home and 156,000 (6%) had stayed at least once in a shelter. Reasons for not contacting a shelter included not wanting or needing help (40%), the woman's perception that the incident was too minor (25%), a lack of awareness of services (16%), or the lack of availability of services (14%).

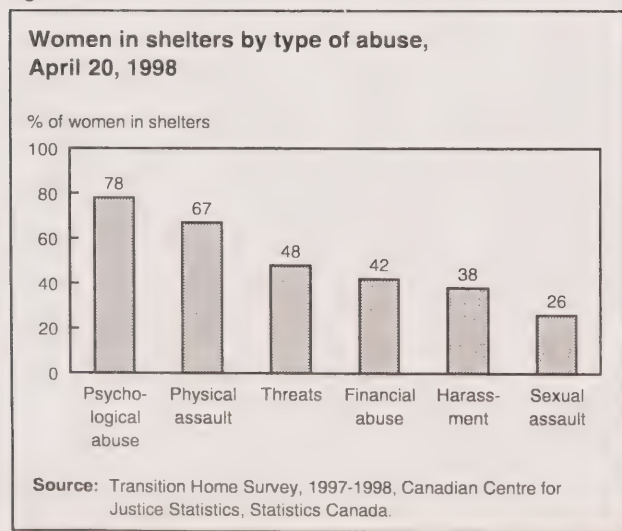
Of those who did seek help from shelters, the severity of the violence was a major contributing factor. According to the VAWS, 19% of abused women had at some point been injured severely enough to seek medical attention. The comparable figure for women who had stayed in a shelter was 63%. Linked to the severity factor is the fact that women who used shelters were more likely to turn to the police for assistance or protection. The 1997-1998 Transition Home Survey revealed that 29% of women in shelters had reported the most recent incident of abuse to the police.

### 6.3 Family violence offenders in correctional institutions

Research has demonstrated that significant proportions of federal offenders (those sentenced to two years or more), have a history of violence in the family setting. Correctional Service Canada (CSC) estimates that 40% of all federal offenders have been violent in their intimate relationships; some research using additional information sources place the estimate much higher.

Over the last three years, the CSC, in collaboration with the British Columbia Institute of Family Violence, has refined an assessment tool (Spousal Assault Risk Assessment measure – the SARA) that assesses the risk for future family violence. Based on SARA, a recent survey of a sample of federal offenders estimated that 20% (3,064) of offenders in federal custody are at high risk for future family violence (of this group, approximately 398 are sex offenders), and a further 20% are at moderate risk.

Figure 6.1



<sup>19</sup> Overall, 430 shelters responded to the survey. However, the number of responses for each question varied because not all shelters were able to answer all questions.

<sup>20</sup> An admission is the official acceptance of a woman or child into a shelter with the allocation of a bed.



The CSC has provided family violence treatment programs to federal offenders since 1989-90. In 1997-98, there were 42 programs offered in correctional institutions and 32 community-based programs nationally. A total of 1,302 offenders were participating in these programs. Table 6.1 shows the distribution of these offenders across the 5 CSC regions.

Table 6.1  
**Number of federal offenders participating in CSC programs by region, 1998**

Region	Number of Offenders
<b>Total</b>	<b>1,302</b>
Atlantic	130
Quebec	488 <sup>1</sup>
Ontario	249
Prairies	300 <sup>2</sup>
Pacific	135

<sup>1</sup> Excludes two-hour family violence awareness program given to all offenders at intake (approximately 840 offenders annually).

<sup>2</sup> Includes 100 offenders seen individually in the community.

Source: Family Violence Prevention Programs, 1997-98 year end report, Correctional Service Canada.

Programs are modeled on existing family violence community programs with modifications to address specific offender needs. Programs can contain up to three components: education, skill development and relapse prevention.

In a study of federal inmates enrolled in family violence treatment programs, data were collected from 6 programs contracted by the CSC to deliver services in institutional and community settings across Canada. Program participants had some history of family violence, although it was not necessarily their most serious offence. Participants were compared to other offenders under the supervision of CSC. Significant differences were found between these two groups with respect to age, education and other social problems. Offenders with a history of family violence were older than the federal inmate population (with a mean age of 34.5 versus 31.4 for the general offender population), more likely to have completed high school, and less likely to have problems with housing, education, and substance abuse (Blanchette et al., 1998). There is evidence in the research literature that exposure to violence in childhood can precondition certain individuals to use violence themselves later in life (Johnson, 1996; Hotelling and Sugarman, 1986; Jaffe et al., 1990). According to 1994-95 data, over one-half of offenders enrolled in family violence programming indicated that they had experienced childhood victimization and the same percentage indicated that they had witnessed abuse when they were children (Table 6.2).

Table 6.2

**History of childhood victimization among offenders in CSC family violence programs, 1994-95<sup>1</sup>**

Childhood experience of abuse	Total	Yes	No	
	N <sup>2</sup>	%	%	
<b>Abuse witnessed</b>	<b>242</b>	<b>100</b>	<b>56</b>	<b>44</b>
Father physically abused mother	238	100	40	60
Father sexually abused mother	232	100	5	95
Father emotionally abused mother	234	100	50	50
Offender witnessed abuse of a sibling	222	100	28	72
<b>Victimization</b>	<b>243</b>	<b>100</b>	<b>56</b>	<b>44</b>
Offender physically abused as a child	241	100	47	53
Offender sexually abused as a child	240	100	18	83
Offender emotionally abused as a child	237	100	51	49

<sup>1</sup> Based on a total sample of 336 CSC male offenders who had participated in one of six family violence programs across the country in 1994-95.

<sup>2</sup> Represents the number of offenders from the family violence programs who responded to questions on a Client Intake Form.

Source: Blanchette et al., 1998.

## 6.4 Family violence legislation

### Provincial/territorial family violence legislation

Within the past few years, Prince Edward Island, Manitoba, Saskatchewan, Alberta and Yukon have passed legislation specific to family violence (Table 6.3). In general, the intent of these acts is to protect victims of family violence by improving the justice system response. Some form of intervention or protection order is common to all the legislation in these jurisdictions.

Although the precise provisions vary across jurisdictions, there are four common elements: (1) the prohibition of the accused to contact or communicate with the victim, (2) the removal of the accused from the family home, (3) the supervision by a peace officer of the removal of the accused's personal effects, and (4) the exclusive occupation of the residence by the victim. One provision similar for Manitoba and Yukon is the removal of firearms from the accused's possession. For Alberta, there is a provision for the removal of weapons used to commit family violence. Manitoba and Alberta prohibit the accused from frequenting a place where the victim attends regularly. More specifically, Manitoba's orders restrict the accused from following the victim from location to location. Manitoba and P.E.I. grant the victim the possession of necessary personal effects. The emergency protection orders in P.E.I. are the most extensive, with an additional five provisions. In the Northwest Territories and the remaining provinces without legislation specific to family violence, policies have been implemented to counteract family violence either as part of an overall strategy to end violence in general, or as part of a concerted effort to reduce family violence.

**Table 6.3**  
**Provincial/Territorial Family Violence Legislation**

Province/ Territory	Family violence	Definition of family violence in the legislation	Components of the legislation	Stage in the legislative process
P.E.I.	Victims of Family Violence Act	Family violence includes violence against that person by any other person with whom that person is, or has been, in a family relationship; violence is (a) any assault of the victim; (b) any reckless act or omission that causes injury to the victim or damage to property; (c) any act or threat that causes a reasonable fear of injury to the victim or damage to the property; (d) forced confinement of the victim; (e) actions or threats of sexual abuse, physical abuse, or emotional abuse of the victim (Victims of Family Violence Act)	The purpose of the Act is to protect the victims of family violence by improving the criminal justice response to family violence. There are two main components of the Act: emergency protection orders and victim assistance orders. <sup>1</sup>	Proclaimed Dec. 16, 1996
Man.	The Domestic Violence and Stalking Prevention, Protection and Compensation and Consequential Amendments Act	Domestic violence occurs when a person is subjected by a cohabitant of the person to (a) an intentional, reckless or threatened act or omission that causes bodily harm or damage to property; (b) an intentional, reckless or threatened act or omission that causes a reasonable fear of bodily harm or damage to property; (c) conduct that reasonable, in all circumstances, constitutes psychological or emotional abuse; (d) forced confinement; or (e) sexual abuse (The Domestic Violence and Stalking Prevention, Protection and Compensation and Consequential Amendments Act)	The objective of the Act is to provide quick and simple protection and services to victims as well as to prevent further occurrences of family violence. The Act has three main components: protection orders by designated justices of the peace, prevention orders by the court of the Queen's bench, and general provisions.	Received royal assent June 29, 1998, not yet proclaimed
Sask.	Victims of Domestic Violence Act	Domestic violence is described as (i) any intentional or reckless act or omission that causes bodily harm or damage to property; (ii) any act or threatened act that causes a reasonable fear of bodily harm or damage to property; (iii) forced confinement; or (iv) sexual abuse (Victims of Domestic Violence Act)	The purpose was to improve the immediate and long-term criminal justice response to the victims of domestic violence. There are three components to the Act: emergency intervention orders, victim assistance orders, and warrants of entry.	Proclaimed Feb. 1, 1995
Alta.	Family Violence Prevention Act	Family violence is (i) any intentional or reckless act or omission that causes injury or property damage, the purpose of which is to intimidate or harm a family member, (ii) any act or threatened act that causes a reasonable fear of injury or property damage, the purpose of which is to intimidate or harm a family member, (iii) forced confinement, (iv) sexual abuse (Family Violence Prevention Act)	The purpose of the Act is to improve the criminal justice response to family violence. There are two main components to the Act: emergency protection orders and other provisions, including warrant permitting entry.	Received royal assent April 30, 1998, not yet proclaimed
Y.T.	Family Violence Prevention Act	Family violence includes persons who have been cohabitants. Family violence is identified as (a) any intentional or reckless act or omission that causes bodily harm or damage to property; (b) any act or threatened act that causes a reasonable fear of bodily harm or of damage to property; (c) forced confinement; (d) sexual abuse; or (e) depriving a person of food, clothing medical attention, shelter, transportation, or other necessities of life (Family Violence Prevention Act)	The purpose of this Act is to recognize that family violence is a serious problem, to improve legal responses to assist the victims of family violence, to recognize the difficulty that victims encounter when they must leave their home to escape abuse and to prevent family violence. There are three main components: emergency intervention orders, victim's assistance order, and warrant to authorize entering premises.	Received royal assent in the fall of 1998, not yet proclaimed
<sup>1</sup> There were Charter challenges to the legislation, where the Supreme Court of P.E.I. felt it was necessary to revise the bill. On December 9, 1998, the legislative assembly of P.E.I. amended the Bill to clarify the definition of "orders" and to identify who is eligible to apply for an emergency protection order.				



**Federal firearms legislation**

In December 1995, Parliament passed Bill C-68 which created a new *Firearms Act* and amended the *Criminal Code*. As part of the new legislation, firearm owners are required to become licensed and to register all firearms. In addition, the legislation has created new offences for gun smuggling and trafficking, prohibited a number of different types of handguns, and introduced new mandatory penalties for those who use firearms during the commission of a crime.

Part of the rationale behind the implementation of the new legislation was to address the use of firearms in family violence. A number of components in the *Firearms Act* address domestic violence including mandatory prohibition orders and firearm revocations for those convicted of certain offences (including threatened, attempted and actual acts of violence), as well as a spousal notification requirement within certain application processes.

For more information on family violence and firearms legislation visit the Department of Justice Canadian Firearms Centre website at <http://www.cfc-ccaf.gc.ca>.





## DATA SOURCES

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### Revised Uniform Crime Reporting (UCRII) Survey

The Canadian Centre for Justice Statistics (CCJS), in co-operation with the policing community, collects police-reported incident-based crime statistics through the UCRII survey. The survey allows detailed examination of accused and victim characteristics, and characteristics of the incident itself. Collection began in 1988; by 1997, 179 police agencies in 6 provinces, representing 48% of the national volume of reported crime were responding to the UCRII survey. The sample of police forces is not nationally representative and therefore it is not possible to calculate rates of occurrence.

The incidents contained in the 1997 Research File are distributed as follows: 41% from Quebec, 33% from Ontario, 11% from Alberta, 8% from British Columbia, 6% from Saskatchewan, and 1% from New Brunswick. Other than Quebec, the data are primarily from urban police departments. Coverage of the survey will continue to grow as more police agencies convert to UCR II. It should also be noted that an unknown number of crimes are never reported to the police. Family violence is particularly prone to underreporting in part because of the secrecy surrounding these crimes. Thus, currently police statistics are not representative of the full extent of family violence offences in Canada.

### Homicide Survey

The Homicide Survey provides police-reported data on the characteristic of all homicide incidents, victims and accused person since 1961. When a homicide becomes known to the police a survey questionnaire is completed. The count for a particular year represents all homicides reported in that year, regardless of when the death actually occurred. The survey remained unchanged from 1961 to 1974 at which time more detailed information was collected. A question regarding the history of domestic violence between the accused and victim was added to the survey in 1991. Data on Shaken Baby Syndrome as a cause of death was captured in 1997.

### National Longitudinal Survey of Children and Youth (NLSCY)

The NLSCY is a longitudinal survey designed to measure child development and well-being, by surveying the same group of children over a period of years. Statistics Canada (on behalf of Human Resources Development Canada) conducted the first cycle of the survey in 1994-95, the second in 1996-97, and is currently in the process of collection for the third cycle. The primary objectives of the survey are to determine the prevalence of various biological, social and economic characteristics and risk factors among children and youth in Canada, and to monitor the impact of such factors on the development of these children. Information is collected directly from children aged 10 and older, parents, teachers and principals.

### Victimization surveys

Criminal victimization surveys are undertaken by Statistics Canada on a cyclical basis. Statistics Canada conducted a victimization survey as part of the **General Social Survey** in 1988. The survey was repeated in 1993 and 1999. The **Violence Against Women Survey** (1993) provided detailed national data on all forms of sexual and non-sexual violence perpetrated against women. The telephone survey was based on a random sample of 12,300 women over the age of 18 years in the 10 provinces.

### Transition Home Survey

The Transition Home Survey was developed under the federal government's Family Violence Initiative in consultation with provincial/territorial governments and transition home associations. The objectives of the survey are to collect information on residential services for abused women and their children during the previous twelve months of operation as well as to provide a one-day snapshot of the clients being served on a specific day. In 1991-1992, Statistics Canada began collecting basic information on transition home services and clientele. The survey was repeated with some changes in 1992-1993, 1994-1995 and 1997-1998.

The Transition Home Survey is a mail-out/mail-back census survey of all residential facilities providing services to abused women and their children. Of the 470 residential facilities providing services to abused women and their children, 430 returned their questionnaires for a response rate of 91%. Separate questionnaires were completed for facilities that had two or more residences under the same name or address

### **Hospital morbidity data**

The Hospital Morbidity and Surgical Procedures Survey is conducted by the Canadian Institute for Health Information. The survey includes information on homicides and injuries inflicted by another person with the intent to injure or to kill. Information is classified according to the International Classification of Diseases (ICD), 9<sup>th</sup> revision.



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